OF THE OFFICE OF THE CLERK of the Market, OF Weights & Measures, AND OF The Laws of Provision

For Man and Beast, for Bread, Wine, Beer, Meal, &c.

By *W. Sheppard*, Esquire.

Prov. 11. 1. & 16. 11. & 20. 10, 23. *A false Weight is an abomination to the Lord, but a Just Weight is his delight.*

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To the Reader.

Reader,

THou haſt here a ſmall and rude *Treatiſe*, penned occaſionally and upon the importunate requeſt of a Friend: And I was the rather induced to engage in it; for that I apprehended, that ſome good might accrue to the Publike by it; For, who knowes not how frequent and foul the deceipts of men in their Trades by Weights, Meaſures, and the like, (eſpecially in the ſale and utterance of the Proviſion for Man and Beaſt) are amongſt us here at this day; And how much we ſuffer by it? And who knowes not that theſe frauds are not only againſt the Law of the Nation, but againſt the Law of God.

Deut. 25.13,14. *Thou shalt not have in thy Bag divers Weights a great and a small, Thou shalt not have in thine house divers Measures, a great and a small; But thou shalt have a perfect and a Just weight; a perfect and just measure shalt thou have, that thy dayes may be lengthened in the Land which the Lord thy God giveth thee: For all that do such things, and all that do unrighteously, are an abomination to the Lord thy God.* Levit. 19. 35. *Ye shall do no unrighteousness in Judgment, in Mete-yand, in Weight, or in Measure. Just Ballances, just Weights, a just Epha, and a just Hin shall ye have.* And do we not know also, that false Weights and Ballances are an abomination to the Lord, and bring guilt and punishment not onely upon them that use them, but upon the whole Land wherein they are used. *Micah 6.10,11. Are there yet the Treasures of wickedness in the house of the wicked, and the scant Measure that is abominable? Shall I count them pure with the wicked Ballances, and the bag of deceitful weights.* Vers. 13. *Therefore I will make thee sick in smiting thee, in*

making

making thee desolate, because of thy sins. Thou shalt eat and not be satisfied, &c.

Now if by this Work we may by any means provoke the offenders themselves to Repentance and Amendment: Or, though they continue to offend, if we may perswade such as have power to punish them for their offences, and so do any thing towards the Cure of this great Evil, We shall account our pains well bestowed. However, take it as it is: I shall leave it to your Judgment, and be still ready to serve you.

W. S.

W. S.

The Contents of the whole Work.

SECT. I.

OF the Clerk of the Market, and Comptroller of the Market: what Officers they are. And how different.

SECT. II.

Of Quantities, Measures and Weights in general, their Names and Natures, and the variety of them; and of Opinions touching them.

SECT. III.

Of the Weights, Measures, and Prices set down of certain Things by the Statute Laws.

SECT.

SECT. IV.

Of the Rules and Orders to be observed for the preventing and Cure of the Disorders in Weights and Measures; And in the price of Commodities.

SECT. V.

Of the Punishment of Offenders in Weight and Measure, and the price of Commodities.

SECT. VI.

Who may punish the Offenders. And of the Powers of the Justices, and some others herein.

SECT. VII.

Of the Power of the Clerk of the Market. And what he by his Office hath to do, or may do, herein.

OF

OF THE OFFICE OF THE *Clerk of the Market.*

SECT. I.

THE Clerk of the Market is an Officer (for the most part) set up in every County, or a County-Officer, to look unto, and oversee, all the Measures wet and dry, as Elns, Yards, Lagens, Quarts, Pottles, Gallons, and Weights, Bushells, Pounds, Ounces,

Clerk of the Market, What.

Ounces, &c. that they be answerable to the Standard in the *Exchequer*.

Comptroller of the Market.

And for this, there hath been in some times an Officer in the King's House, called a *Comptroller* of the Market, whose Duty is to take charge of the King's Measures, and to keep the Standards of them (that is) the Examples of all the Measures that ought to be throughout the Land; and to see that all Measures of Ells, Yards, Lagens, as Quarts, Pottles, Gallons; or Weights, Bushells, &c. be in every place answerable to the said Standard, *Fleta lib.* 2. *chap.* 8. 9. 10. 11. 12.

Of which Office, as also of our diversity of Weights and Measures, you may there find a Treatise worth the reading.

Britton also in his 30. Chapter hath to this effect in the King's Person; *We will, That none have*

Mea

Measures in the Realm but We Our Selves; but that every man take his Measures and Weights from Our Standards. But more particularly.

For the opening of the *Office* of this *Officer*, and his Power and Duty in his Office, and our Subject Matter in hand as incident to it, these things are to be spoken to:

1. What the Quantities, Measures and Weights of the Nation are; their Kinds and Names, and how they ought, by the Law, to be ordered and settled.

2. Wherein the offences lye, and who are the offenders herein against these Laws for buying and selling, and especially such as offended in sale of Provision for Man or Beast.

3. The Penalties and Forfeitures to be inflicted upon the offenders herein.

4. The Rules and Orders for the preventing or cure of the

disease, and by whom, and how it is to be done.

5. What the Clerk of the Market *ex officio* may and ought to do herein.

SECT. II.

Of Quantities and Measures in the general. And how they are to be accounted and divided; And the just and certain Contents of all, or most of them.

FOr the first of these, we are to know these things:

Quantity; What.

That *Quantity*, is a certain Measure, according to which any thing is said to be long, broad, or deep.

Measures. What.

And *Measures* (in consideration of Law) are either of dry, or of moyst things: Of dry things, as of Land, Corn, or the like, measured by the Yard, Eln, &c. Or of moyst

moyst things, as of Wine, Beer, Ale, and the like, which are measured by the Pint, Quart, Pottle, &c.

And of *Weights*, there are Two sorts in use amongst us at this day, the one called the *Troy*, which is 12 ounces, or Twenty shillings *Sterling*; And is 12 ounces in the pound, and no more. And by this, Pearls, Precious Stones, Silk, Gold, Silver, Electuaries, and Medicinable things, Wheat, all manner of Grain and Bread is weighed, *Cook. Inst.* 4. Part, Chap. 61. Troy Weight.

The other is called *Averdepoys*, which is sixteen ounces, every ounce having 20 penny weight, every penny weight 21 grains and a half, or 25 shillings *Sterling* in the pound. And by this, all other things, as Grocery Wares, Pitch, Tarre, Iron, Hemp, Flax, Flesh, Butter, Cheese, Tallow, Physical Drugs, Wax, Woolf, Steel, Lead, Averdepoys Weight.

and other like things not before named, especially that which is called *Garble*, and whereof comes Waste, are weighed. And to this *Averdepoys* weight, is allowed to every hundred, Twelve pound. So as 112 pound makes a hundred weight; Fifty six pounds, half a hundred weight; and Twenty eight, a Quarter, 27 *E.* 3.10.

Garble; What.

The first of these it is said, in *Cook.* 4. *Part, Inst.* 273. is commanded by the Statute; and this derived from the grain or Corn of Barley from the midst of the ear, and dry; 24 of these corns or grains make a penny weight, and 20 of these penny weights make an ounce, and 12 ounces make a pound *Troy*.

Measures of Troy be of three kinds; *viz.* of things that be dry; of Liquor; and of Longitude, Latitude, and Profundity, *Coo.* 4. *Part, Instit.* 273.

And

And, as he writes, Of dry things, 4. grains make a penny weight; 20 penny weight make an ounce; 12 ounces a pound or a pint, (for a pound weight is a pint in measure) Two pounds or pints, make a quart; Two Quarts make a Pottle; Two Pottles make a Gallon; Two Gallons make a Peck; Four Pecks make a Bushell; Four Bushells make a Coomb; Two Coombs make a Quarter; Six Quarters make a Way; and Ten Quarters make a Last.

Pound. *Ounce.* *Pint.* *Quart.* *Pottle.* *Gallon.* *Peck.* *Bushell.* *Combe.* *Quarter.* *Way.* *Last, of Corn.*

And, as he writes, Of Liquor, 12 ounces make a pound; 8. pound make a Gallon of Wine; 8. Gallons of Wine make a Bushell in *London*, which is the 8th part of a Quarter, *Coo.* 4. Part, *Inst.* Chap. 51.

And both these kind of Weights and Measures are allowable by the Laws.

Dalton in his Justice of Peace, page 168. sets forth these Contents and Measures thus, out of 27 E. 3. chap. 10.

Averdepoys weight:	14 Ounces and a half of two pence weight Troy do make 16 ounces of *Averdepoys.*	Measures of Corn according to Averdepoys weight
Gallon, What.	7. Pounds or Pints *Averdepoys,* make the *Gallon.*	
Peck, what.	14 Pounds or Pints *Averdepoys,* make the Peck.	
Bushell, What.	56 Pounds or Pints *Averdepoys,* make the *Bushell.*	

Pints

Troy Weight.									
Pints or Pounds,	5120.	512.	256.	64.	16.	8.	4.		
Quarts,	2560.	256.	128.	32.	8.	4.	2.		
Pottles,	1280.	128.	64.	16.	4.	2.	1.		
Gallons,	640.	64.	32.	8.	4.	1.			
Pecks,	320.	32.	16.	4.	1.				
Bushells,	80.	8.	2.	1.					
Coombs,	20.	2.	10.						
Quarters,	10.	1.							
And Ten Quarters of Corn is a Last.									

Measures of Corn according to Troy *weight.*

	Beer Measures.							*Ale Measures.*			
Pints,	288.	144.	72.	8.	4.	2.	—	256.	128.	64.	8.
Quarts,	144.	72.	36.	4.	2.	1.	—	128.	64.	32.	4.
Pottles,	72.	36.	18.	2.	1.	—		64.	32.	16.	2.
Gallons,	36.	18.	9.	1.	—			32.	16.	8.	1.
Firkins,	4.	2.	1.	—				4.	2.	1.	
Kilderkins,	2.	1.	—					2.	1.		
Barrells,	1.	—						1.			

	32 Wheat Corns, taken in the midst of the Ear, weigheth 1 d. *Sterling*.
Ounce.	Twenty pence *Sterling*, maketh the ounce *Troy*.
Pound.	Twelve ounces maketh { in weight one pound *Troy*.
Pint.	Twelve ounces maketh { in measure one Pint.
Quart.	Two Pints, or Pounds, make the Quart.
Pottle.	Two Quarts make the Pottle.
Gallon.	Eight Pints, Four Quarts, Two Pottles, } make the Gallon.
Troy weight by 12 H. 7. Chap. 15. and 51 H. 3.	
Peck.	Eight Quarts make the Peck.
Bushell.	64 Pints, 32 Quarts, 8 Gallons, 4 Pecks, } make the { Bushell, or Firkin.
Firkin.	
Kilderkin,	Sixteen Gallons, Two Firkins, } make the { Kilderkin, Half Barrell. Rundlet.
Half Barrel.	
Rundlet.	

Troy Weight.

256 Pints, 128 Quarts, 32 Gallons, 4 Firkins, 2 Kilderkins, 4 Bushells,	make the	Coombe, or Barrell. — *Coombe.* *Barrell.*
212 Pints, 656 Quarts, 4 Gallons, 8 Firkins, 4 Kilderkins, 2 Barrells, 8 Bushells,	make the	Quarter, or Hogshead. — *Quarter.* *Hogshead.*

So that the Pint and Pound, Firkin and Bushell, Barrell and Coombe, Hogshead and Quarter, are of like content.

Also the Statute of 23 *H.* 8. Chap. 4. doth limit the weight of every of these 3. Vessels, next named, being empty, as followeth; (*Viz.*)

1 The Barrell,	Must weigh being empty,	26 pounds.
2 The half Barrel or Kilderkin,		13 pounds.
3 The Firkin,		6 pound & a half.

Ant

And for the Assise of Bread, he hath it thus:

1. That all sorts of Bread are to be weighed by *Troy* weight; And the Bread appointed by the Statute, is white bread, wheaten bread, and houshold bread, besides horse-bread.

2. That after 7. dayes, bread is not to be weighed.

In *Fleta, lib. 2. cap.* 12. It is said, That all our *English* Measures are compounded of the penny *sterling*, which weigheth 32 Wheat corns of the middle sort; And that 20 of those pence make an ounce *Troy*; and 12 ounces a pound in weight, or 20 shillings in number. And that 8 pound of Wheat maketh a Gallon; and eight Gallons, a *London* Bushell; four Bushells, a Curnock; and eight Bushells, a common Quarter. Also, that Fifteen ounces of the quantity afore-

Ounce, what.
Pound, what.
Gallon, what.
Bushell, what.
Curnock, what.
Quarter, what.

aforesaid, do make a Merchant's pound. And that 12 such pounds and a half make a Stone; and 14. stone make a Weight, *Stat.* 31 *E.* 1. *Rastal, Weights,* 7. 8.

And all our Weights and Measures have their first Composition from the penny *sterling*, which ought to weigh Two and thirty wheat corns of a middle sort: Twenty of which pence make an ounce, and 12 such ounces a pound or 20 shillings, but Fifteen ounces make the Merchants pound. See *Minsheus* Dictionary. But the ordinary Measure of moist things is thus; That two Pints make a Quart, two quarts a Pottle; two Pottles, a Gallon; Eight Gallons a Firkin; 16 Gallons a Kilderkin, half Barrell, or Rundlet; Four Firkins a Barrell; Two Barrells, a Hogshead; Two Hogsheads, a Pipe, wherein are 126 Gallons; Two Pipes, a Tun, wherein

The Composition of Pints. Quarts. Pottles. Gallons. Firkins. Kilderkins. Half Barrell, or Rundlet. Barrells. Hogsheads. Pipes. Tuns.

wherein are 252 Gallons, Of Ale and Beer the Firkin is 8 Gallons. The Kilderkin 16; The Barrell 32; The Hogshead or Quarter, 63 Gallons, *Et sic de cæteris*. So in *Cook. Instit.* Part 4. Chap. 51.

Pipe, what. The Pipe is said to be a Measure of Wine or Oyl, containing half a Tun, (that is) Sixscore and six Gallons, 1 *R.* 3. *Chap.* 13.

Tun, what. And then the Tun must be such a Measure of Wine or Oyl, as doth contain Twelvescore and Twelve Gallons; That is, four Hogsheads, and then the Hogshead must be such a Measure as doth contain the 4th part of a Tun, that is, 63 Gallons.

Hogshead, what.

Terse or Tierse, what. A Terse or Tierse is but the 6th part of a Tun, or third part of a Pipe.

Honey. But Honey hath in the Kilderkin 16, and in the Barrell Thirty two wine Gallons. And some things

things there are that have another kind of Measure. *See the particular Statutes about them.*

Twenty penny weight make an ounce; 24 grains makes a penny weight; 20 mites make a grain; 24 Droits make a Myte, 20 Perits make a Droit, 24 Blanks make a Perit. And by others thus; A Grain contains 20 minutes, a Minute contains 24 Droits, a Droit contains 24 Blanks; 12 Grains of fine Gold make a Caret; 24 Carets of fine gold make an ounce, and 12 ounces make a pound of fine gold. Ounce.

The ordinary measure of dry things is thus; Of Pounds are made Pecks; of Pecks, Bushells; of Bushells, Coombs or Curnocks. Pound. Peck. Bushell.

And 4 Pecks make the Bushell, 4 Bushells the Coomb or Curnock; Eight Bushells the Quarter, which is two Curnocks, and eight Bushells the Weigh. Coombe. Carnock. Weigh.

The

Bushell. The Bushell is also to be eight Gallons, or 64 pounds or pints of Wheat, *Stat.* 1 *R.*3.13.

But water measure sold within Shipboard, must be 5 Pecks.

Of Longitude, Latitude, and Profundity, it is said three Barley Corns measured from end to end, or 4 in thickness make one Inch; 4 inches a handful; 12 Inches a foot; 3 foot a yard; 3 foot and 9 Inches an Eln; 5 foot a Geometrical pace; 7 foot a fathom, and 5. (yards) and a half, which is 18 foot and a half, make a Perch, Pole, or Rod, 27 *E.*3.10. 27 *H.*8. *Chap.*6.

Inch. Ell. Yard. Perch.

But by *Cook*'s 4. Part, *Instit.* ch. 51. It is said, 3 grains of Barley in length make an Inch, 12 Inches make a foot, 3 foot make a yard, a yard and a quarter make an eln, 5 yards and a half make a Perch, 40 perches in length make a Furlong, 8 furlongs make a mile.

Inch. Eln. Yard. Perch.

Of

Of Wooll, 12 Sacks are said to make a Last. But a Last of Herring is Ten Thousand. A Last of Pitch or Tarre, or Ashes, is 14. Barrels. A Last of Hides or Skins, is 12 Dozen of them. And a Last of Corn is Ten Quarters, *Stat.* 21 *Ed.*3. *Stat.* 2. *Chap.*2. 31 *H.*8. 14. 1 *Jac.*33. 14 *E.*3.22. *Crompt. Jur.* 83. *Fleta, lib.* 2.12. Last of Wooll, what.

A Kintall or Quintall, is a certain measure or weight of Wood, Iron, or such like thing, or Merchandize, to the value of a hundred, or something over or under, according to the divers uses of sundry Nations. Kintall, what. or Quintal.

A Clove is said to be a 32d. part of the weight of Cheese, (i.) eight pound, *Stat.* 9 *H.*6. 8. And the weight of Cheese and Butter in some Countries, is three hundred weight, after 112 l. to the hun- Clove, what. Of Butter & Cheese.

dred, which is 336 pound, or 136 pound of *Averdepoys* weight.

Bale of Paper.

A Bale of Paper is 10 Ream, a Ream is 20 Quire, a quire is 24 sheets.

Roll of Parchment, what.

A Roll of Parchment is 5 dozen or 60 Skins.

Lath.

A Lath is in length five foot, in breadth two Inches, and in thickness half an Inch.

Several sorts of Measures.

Some say, The measure of 18 foot to the Perch or Pole, is commonly called Woodland measure. 21 foot to the Pole is called Church Measure, (*sc.*) of the Land that did, or doth, belong to the Church. And 24 foot to the Pole, is called Forrest Measure.

Pole, Rod, or Perch of Land, what.

A Pole or Perch is used with us for a Rod or Pole of 16 foot and a half in length, whereof 40 in length, and 4. in breadth, make an acre of ground, *Crompt. Jur.* 222. But by the Custome of the Countrey it may be longer; as 18, 20, or

or 25 foot; in some more, in some less, *Crompt. Jur.* 122. *Stat.* 5 *Eliz.* 5. *Particata terræ* (as some say, 31 *Eliz.* 7.) is a Rood of Land. And that three barley corns without tails set together in length, make an inch; of the which corns, one should be taken of the middle Ridge, another of the side of the Ridge, another of the Furrow. Twelve inches make a foot of measure. Three foot and an inch make an eln; 6. Elns long make a Fall, which is the common lineal measure. And six elns long, and six broad, make a square and superficial Fall of measured Land.

Particata Terræ.

Inch.

Foot.

Eln.

And it is to be understood, That one Rodd, one Raip, one lineal Fall of Measure, is all one; for each one of them containeth six Elns in length. Howbeit, a Rodd is a Staff or Pole of wood; a Raip is made of Towe or Hemp; And so much Land as falleth under the

Rodd or Raip at once, is calle (in some places) a Fall of measure or a lineal fall, because it is th measure of the line or length only as the superficial Fall is the mea sure both of length and breadth But by the usage of some Coun treys, the Pole doth vary; for i some Countries it is 18 foot, an in some 21 foot, in others 24 foo Ten Falls in length, and four i breadth, make a Rood.

Rood of Land, what.

And a Rood of Land, (*Ro terræ*, in Latin) is a certain quan tity of Land, the fourth part of a Acre, 5 *Eliz. chap.* 5. And fou Roods make an Acre. *Skene d verborum significatione.*

Acre of Land, what.

And an Acre is said to be a cer tain Quantity of Land, containin in length 40 Perches, and four i breadth, or to that quantity, b the length more or less. And s if a man erect a new Cottage, h is to lay four Acres of Land to i

after

ter this measure, by 31 *Eliz. chap.* 7. *Crompt. Jur.* 222. And yet according to the divers Customs of divers Countries, the Perch differeth, but in some places, and ordinarily, but 16 foot and a half. But in other places 24 foot. And in the Statute made of sowing of flax, 24 *H.* 8. *chap.* 4. Eightscore Perches made an Acre, which is 40, multiplyed by four. See the Ordinance *de terris Mensurandis*, 34 *E.* 1. *Stat.* 1. But an Acre (as some say) is as much as may be plowed in one day by a Yoke of Oxen.

A Hide of Land, (in Latine, *Hida terræ*) is a certain measure or quantity of Land (by some mens opinion) that may be plowed by one Plough in a year. Or (as others say) it is 100 acres: Or (as others would have) as much as will maintain a Family. Some say it consisteth of 100 Acres, every

Hide of Land, what.

acre in length 40 Perches, and i
breadth four Perches, every Perc
16 foot and a half. And again
say some, Eight Hides are 80
acres, and make a Knight's Fe
Crompt. Jur. 220. But this also
incertain, and to be reckoned ac
cording to the estimation of th
Countrey.

Selion of Land, what.

A Selion (*Porca* in Latine) i
in English otherwise called a Rid
of Land; this is of no certai
quantity, but sometime contai
eth half an acre, sometimes mor
and sometimes less. *West. Part* 2
Symb. Recovery, Sect. 3. *Cramp*
Jurisd. 221.

Virgata Terræ, or Yard-land, What.

A Yard Land, (in Latine, *Vi*
gata Terræ) is a quantity of Lan
called by this name, but is no ce
tain Quantity. Nor is it all on
in all places, as some would hav
it. For in some places it contai

et

eth 20 acres; in others 24 acres; in other places 30 acres, according to the estimation of the Country. And therefore it is that a Fine *de Virgata Terræ* is not good, but void for Incertainty. Some say, every Plough Land containeth commonly 120 acres, and every Plough land is four Yard-land, *Dalt.* 177. *Coo. upon Lit.* 69. But an Acre of Land is certain, by the Statute *de terris Mensurandis*, *Coo. idem.*

An Oxgange of Land (in Latine, *Bovata terræ*) is not a certain quantity of Land, as Fifteen acres, whereof 8. acres make a Plough Land. Oxgange of Land, what.

But it is a certain quantity of Land so called, and more or less according to the estimation of the Country.

But (as some say) six Oxganges of Land seem to be as much as six Oxen will plow, and to intend

such land as lyeth in *Gaynour*. And some would have it alwayes to contain 13 Acres, and that four Oxengates is a pound Land of old extent, *Crompt. Jurisd.* 220. *Old B. fol.* 117. *M. Skene de verb. signif. verbo Bovata terræ.*

Librata terræ, what.

And that *Librata terræ*, some say, containeth four Oxgangs, and every oxgang thirteen acres. *Skene de verb. signif.*

Fardingdeale of Land.

And that a *Fardingdeale* alias *Farundell* of Land (*Quadranta terræ*, in Latine) signifieth the fourth part of an Acre, *Crompt. Jurisd.* 220.

And in *Regist. Orig.* 1. we read of *Quadrantata terræ. Denariata, et Obolata. Solidata et Librata terræ.* The which in probability must rise in proportion of quantity from the *Fardingdeal*, as a half-penny, penny, shilling, or pound, rise in value or estimation. And then

must

must *Obolata* be half an Acre. *Denariata*, an acre. *Solidata*, 12 acres, and *Librata* Twelvescore Acres. Or *Librata terræ* may be as much as yieldeth 20 s. *per Annum*; And that *Viginti librata terræ vel redditus*, may be so much Land as 20 s. *per annum*. *Regist. Orig. fol.* 94. 248. 249. *F. N. B.* 87. *F.*

Obolata terræ, what. *Denariata Terræ*, What. *Solidata Terræ*, What. *Librata Terræ*, What.

And that a Furlong (in Latine, *Ferlingum terræ*) is a quantity of ground containing 20, others 40 Luggs, Perches, or Poles in length, and every Pole 16 foot and a half; Eight of which Furlongs make a Mile, 35 *E.* 2. *chap.* 6. Or otherwise it is the 8th part of an Acre, by *Dalt. Just.* 176. Forty Pole in length make a Furlong; eight Furlongs or 320 Pole, an *English* Mile: And an *English* Mile is 5280 foot in length, and 1760 yards, 35 *Eliz. chap.* 6.

Furlong of Land, what.

But

But as to all these Quantities, and the diversities of Opinions therein, this is to be observed, That Weights and Measures differ much as they are used in different Countries. And the Custom and vulgar opinion and practice of the Countrey therein, except it be very unreasonable, is to be observed, *Consuetudo loci est observanda.* And therefore in the measure, and estimate of Lands, and in all Contracts for Lands and other things, as in the buying or selling of any thing by the Tod, Tun, Bushell, Yard, Eln, or the like. And in all Grants of Land, as a Hide, Oxgang, Selion, or Acre of Land, the Estimate shall be according to the usual Estimate of the place where the thing contracted for lyes, and where the Parties contracting live, and do make their Contract.

SECT.

SECT. III.

The Weights, Measures, and Prices of certain Things set down by Statute Lawes.

BY general consent, the King's Measure was made (*scil.*) that an *English* penny which is called the *Sterling*, round without clipping, shall weigh 32 grains of Wheat dry in the middest of the Ear, and twenty pence maketh an ounce, and 12 ounces make a pound: And 8. pound make a Gallon of Wine, And 8. Gallons of Wine make a Bushell in *London*, the 8th part of a Quarter, 31 *E.* 1. *Ordinance of Measures.*

Ounce. Pound. Gallon. Wine measure.

For the Measure of Hundreds of things sold by Tale or Number: And by the Hundred, we are to know,

How Hundreds are to be accounted.

know, That of Hops, Fivescore and Twelve make the Hundred. Of Cattle and Fish, Sixscore make the Hundred. Of Hard-fish, Eightscore make the Hundred. Of Nayls, Pins, and headed things, Sixscore make the Hundred. But of Sugar, Spices, and Wax, and of all other things, there are but Fivescore to the Hundred. *Rastall's Abridgment*, 18.

Of Bread weight.

The Foreiners Bread that lives out of a City, Burrough, or Town, is to weigh 6 ounces in the penny loaf, more than the Town-Dwellers.

Horse-bread weight.

That for Horse-bread, three horse-loaves are to be sold by the Baker for a penny; 13 *d.* for 12 *d.* And every weight is to weigh the full weight of a penny white loaf, at what price soever the Wheat is sold.

The

The Assise of Bread and Beer is set down by 51 *H.* 3. by which it was rated, and is now to be observed all *England* over as followeth:

When a Quarter of Wheat is sold for 12 *d.* then Wastell Bread of a farthing shall weigh 6 *l.* and 16 *s.* Bread Cocket of a Farthing of the same Corn and Bushell, shall weigh more than Wastel by two shillings. Cocket bread made of Corn that is of less price, shall weigh more than Wastell by 5 *s.* A Symnell of a Farthing, shall weigh 2 *s.* less than the VVastel. Bread made of the whole VVheat, shall weigh a Cocket and a half, (that is to say) the Cocket that shall weigh more than by 5 *s.* Bread of Trete shall weigh two VVastells. Bread of Common wheat shall weigh two great Cockets. Weight of Bread.

VVhen

VVhen a Quarter of VVheat is sold for 18 *d*, a VVastell loaf of a Farthing, shall weigh 4 *l*. 10 *s*. 8 *d*.

VVhen a Quarter of VVheat is sold for 2 *s*. then a VVastel loaf of a farthing shall weigh 3 *l*. 8 *s*.

When it is sold for 2 *s*. 6 *d*. 4 *s*. and 4 *d*. *ob*.

VVhen for 3 *s*. 48 *s*.

VVhen for 3 *s*. 6 *d*. 42 *s*.

VVhen for 4 *s*. 36 *s*.

VVhen for 4 *s*. 6 *d*. 30 *s*.

VVhen for 5 *s*. 28 *s*. 2 *d*. *ob*.

When for 5 *s*. 6 *d*. 24 *s*. 8 *d*. Qr.

VVhen for 6 *s*. 22 *s*. 8 *d*.

When for 6 *s*. 6 *d*. 19 *s*. 9 *d*.

VVhen for 7 *s*. 19 *s*. 1 *d*.

VVhen for 7 *s*. 6 *d*. 18 *s*. 1 *d*.

VVhen for 8 *s*. 17 *s*.

VVhen for 8 *s*. 6 *d*. 16 *s*.

When for 9 *s*. 15 *s*. Qr.

VVhen for 9 *s*. 6 *d*. 14 *s*. 4 *d*. *ob*. *qu*.

VVhen for 10 *s*. 13 *s*. 7 *d*. *ob*.

VVhen

When for 10 *s.* 6 *d.* 12 *s.* 11 *d.* *ob.* *qu.*
When for 11 *s.* 12 *s.* 4 *d.* *qu.*
When for 11 *s.* 6 *d.* 11 *s.* 10 *d.*
VVhen for 12 *s.* 11 *s.* 4 *d.*

And then a Baker, of every Quarter of wheat, may gain 4 *d.* and the Bran and two loaves for advantage; for 3. Servants 1 *d.* *ob.* for two Lads *ob.* in salt *ob.* in yest *ob.* for candle *qu.* for wood 2 *d.* for his bultell, *ob.*

Prices of Bread.

When a Quarter of wheat is sold for 3 *s.* or 3 *s.* and 4 *d.* and a Quarter of Barley at the price of 20 *d.* or 2 *s.* and a Quarter of Oats at 16 *d.* Then Brewers in Cities ought and may well afford and sell two Gallons for 1 *d.* And out of Cities they may sell 3. for a penny. And when in a Burrough there are 3. Gallons sold for a penny,

penny, then without they shall sell four. And this Assess shall be holden through *England*. So when a Quarter of Barley is sold for 2 s. then four Gallons of Ale in the Country shall be sold for a penny: When for 2 s. 6 d. then 7. Gallons for 2 d. When for 3 s. 6 d. then 5. Gallons for 2 d. When for 4 s. then 2. Gallons for a penny. And so further, it shall grow or diminish by 6 d. And if a Baker, or Brewer be convicted that they have not kept the aforesaid Assises, the first, second, and third time, they shall be amerced according to the quantity of their offences. And that as often as a Baker shall offend in the weight of a farthing loaf of bread not above 2 s. weight, that then he be amerced as aforesaid. But if he exceed 2 s. then he is to be set upon the Pillory without any redemption for money. In like manner

ner it ſhall be done if he offend oft-times, and will not amend, then he ſhall ſuffer the Judgment of the body, that is to ſay, the Pillory; If he offend in the weight of a farthing loaf under two ſhillings weight, as is aforeſaid. Likewiſe the woman Brewer ſhall be puniſht by the Tumbrell, Trebuchet, or Caſtigatory, if ſhe offend divers times, and will not amend. *The Statute of Aſſiſe of Bread and Ale, Anno* 51 *H.* 3. as it is commonly taken. So, *Raſtall's Abridgment.*

And by *Wingate*, it is thus reported; *Aſſiſa panis et Cerviſiæ,* 51 *H.* 3. *By this Statute the Aſſiſe of Bread was rated,* (viz.) *when a Quarter of Wheat ſhould be ſold for* 12 d. *Waſtel Bread of a farthing* (*a kind of Bread then in uſe*) *ſhould weigh* 6 l. 16 s. viz. 6 l. 9 ounces, *and* 12 penny weight, *according to* Troy *Weight. For at that time a*

Troy Weight. *pound of Silver (by* Troy *weight) was a pound sterling or 20 shillings. And a penny now, was three pence then. And so it continued, till* H. 6. *raised the ounce of Silver (which was before but 20 pence) to 30 pence. And after that, the old penny was valued at 3 half pence. Afterwards,* E. 4. *raised it to 40 pence; Then* H. 8. *to 45 pence. And last of all,* Q. Eliz. *to 5 s. at which rate it doth now stand. And all this was done by the said Kings and Queens Proclamations, according to the exigencies of affairs in the Commonwealth at the times when it was so altered.*

And according to the proportion ordained by this Statute, the ensuing Table is framed for the due Assise of Bread now in use.

A Table of the Assise of Bread according to the Troy-*weight, having* 12 *Ounces in a Pound; and twenty penny weight in each of those* 12. *Ounces.*

Price of wheat.		Penny white.			Penny wheaten.			Penny Houshold.		
s.	d.	li.	ounc.	dr.	li.	ounc.	d.	li.	ounc.	dr.
19	6	1	5	7	2	2	0	2	10	19
20	0	1	4	18	2	1	6	2	9	16
20	6	1	4	10	2	0	14	2	9	0
21	0	1	4	2	2	0	2	2	8	4
21	6	1	3	14	1	11	12	2	7	8
22	0	1	3	6	1	11	0	2	6	12
22	6	1	3	0	1	10	10	2	6	0
23	0	1	2	14	1	10	0	2	5	8
23	6	1	2	8	1	9	12	2	4	16
24	0	1	2	2	1	9	2	2	4	4
24	6	1	1	16	1	8	15	2	3	12
25	0	1	1	10	1	8	6	2	3	0
25	6	1	1	5	1	7	18	2	2	10
26	0	1	1	0	1	7	10	2	2	0
26	6	1	0	15	1	7	3	2	1	10
27	0	1	0	10	1	6	18	2	1	2
27	6	1	0	6	1	6	8	2	0	12
28	0	1	0	1	1	6	0	2	0	2
28	6	0	11	17	1	5	15	1	11	14
29	0	0	11	13	1	5	10	1	11	8
29	6	0	11	9	1	5	4	1	10	17
30	0	0	11	5	1	4	18	1	10	10

Price of wheat.		Penny white.			Wheaten.			Houshold.		
s.	d.	li.	ounc.	dr.	li.	oun.	dr.	li.	ounc.	dr.
30	6	0	11	1	1	4	12	1	10	2
31	0	0	10	18	1	4	6	1	9	16
31	6	0	10	14	1	4	1	1	9	8
32	0	0	10	11	1	3	16	1	9	2
32	6	0	10	8	1	3	12	1	8	16
33	0	0	10	5	1	3	6	1	8	10
33	6	0	10	3	1	3	0	1	8	4
34	0	0	9	19	1	2	15	1	7	18
34	6	0	9	16	1	2	12	1	7	12
35	0	0	9	13	1	2	8	1	7	6
35	6	0	9	10	1	2	4	1	7	0
36	0	0	9	8	1	2	1	1	6	16
36	6	0	9	6	1	1	18	1	6	10
37	0	0	9	2	1	1	14	1	6	4
37	6	0	9	0	1	1	10	1	6	0
38	0	0	8	18	1	1	7	1	5	16
38	6	0	8	15	1	1	4	1	5	11
39	0	0	8	13	1	1	0	1	5	6
39	6	0	8	11	1	0	16	1	5	2
40	0	0	8	9	1	0	12	1	4	18
40	6	0	8	7	1	0	9	1	4	14
41	0	0	8	5	1	0	6	1	4	10
41	6	0	8	3	1	0	3	1	4	6
42	0	0	8	1	1	0	0	1	4	2
42	6	0	7	19	0	11	18	1	3	18
43	0	0	7	17	0	11	16	1	3	14
43	6	0	7	15	0	11	13	1	3	10
44	0	0	7	13	0	11	10	1	3	6
44	6	0	7	12	0	11	6	1	3	3
45	0	0	7	10	0	11	4	1	3	0
45	6	0	7	8	0	11	2	1	2	17

Price of Wheat.		Penny white.			Wheaten.			Household.		
s.	d.	li.	unc.	dr.	li.	unc.	dr.	li.	unc.	dr.
6	0	0	7	6	0	11	0	1	2	14
6	6	0	7	5	0	10	18	1	2	10
7	0	0	7	4	0	10	16	1	2	7
7	6	0	7	2	0	10	13	1	2	4
8	0	0	7	1	0	10	10	1	2	1
8	6	0	6	19	0	10	8	1	1	18
9	0	0	6	17	0	10	6	1	1	16
9	6	0	6	16	0	10	4	1	1	13
0	0	0	6	15	0	10	2	1	1	10
0	6	0	6	14	0	10	0	1	1	7
1	0	0	6	12	0	9	18	1	1	4
1	6	0	6	11	0	9	16	1	1	2
2	0	0	6	10	0	9	14	1	1	0
2	6	0	6	8	0	9	12	1	0	17
3	0	0	6	7	0	9	10	1	0	14
3	6	0	6	6	0	9	8	1	0	12
4	0	0	6	5	0	9	6	1	0	10
4	6	0	6	4	0	9	5	1	0	8
5	0	0	6	3	0	9	4	1	0	6
5	6	0	6	1	0	9	2	1	0	3
6	0	0	6	0	0	9	0	1	0	0
6	6	0	5	19	0	8	18	0	11	18
7	0	0	5	18	0	8	17	0	11	16
7	6	0	5	17	0	8	15	0	11	14
8	0	0	5	16	0	8	14	0	11	12
8	6	0	5	14	0	8	13	0	11	9
9	0	0	5	13	0	8	12	0	11	6
9	6	0	5	12	0	8	10	0	11	4
0	0	0	5	11	0	8	8	0	11	2
0	6	0	5	10	0	8	6	0	11	1

Rates for Bread.

According to the abovesai Rate, (at the time when this Sta ture was made) a Baker in a Quar ter of Wheat (as was then pro ved by the King's Baker) migh gain 4 *d.* and the Bran, two loave for advantage; for 3. servant 1 *d. ob.* for two lads, *ob.* for sal *ob.* for kneading, *ob.* for candle, for wood 3 *d.* and for his bultel, *in toto*, 12 *d. ob. qu.* which bein trebled, (according to the Rate money now) amounts to 3 *s.* 2 *qu.* And may therefore be no conceived fit for the Baker to ga in the uttering of every quarter Wheat. Howbeit, Note, Th (by the Book of *Assise* now in us published by Proclamation t wards the latter end of the Rei of Queen *Elizabeth*) Bakers inh biting Corporate Towns, (in r gard they pay Scot and Lot ther are allowed 6 *s.* in every Quart

of the middle prized Wheat for their charge in Baking; and Country or Forein Bakers 4 s.

For Example:

When the middle price of Wheat is 30 s. the Quarter, for Assise of Town-Bakers, you are to find in the foregoing Table, the Assise of Bread answering to 36 s: but for the Assise of Forein Bakers, that of 34 s. And therefore (in that case) the penny white loaf put to sale by Town-Bakers, ought to weigh 9. ounces, eight penny weight; but that uttered by Forein Bakers 9 ounces 19 penny weight, as appears in the *Table*.

When the Quarter of Wheat is sold for 3 s. or 3 s. 4 d, and Barly for 20 d. or 2 s. and Oats for 16 d. the Quarter, Brewers in Cities may afford to sell two Gallons of Beer or Ale for a penny; and out of Cities, Three Gallons for a

penny. And when in a Town 3. Gallons may be sold for a penny; out of a Town 4 Gallons may be afforded. And this Assise shall be observed throughout *England*.

The Assise of Bread shall be rated according to the middle price of Wheat, and shall not be changed but by 6*d.* increasing or decreasing in the sale of a Quarter. *Wingate, Abridgment of Statutes.*

The Measure of Tyle.

For Tyle, there must be Six-score to the Hundred.

Tyle rates and Measures.

Plain Tyle made shall contain in length 10 Inches and a half, and in breadth six Inches and a quarter of an Inch; and in thickness half an inch and half a quarter at the least. And every roof-tile, or Crease-tile made, shall contain in length 13 Inches, and the thickness of half an inch, and half a

quarter

quarter at the least, with convenient deepness according. And every Gutter-Tile and Cover-tile made, is to contain in length 10 Inches and a half, with convenient thickness, breadth, and deepness according. And he that shall sell any, or set to sale any that is not so, shall forfeit to the buyer double the value, and be further punished. *See* 17 *E.*4. *Chap.* 4.17.

The Measure of Cloth.

The Clothes of *Ray* were to have had the length of 28 Yards measured by the List; And the breadth of six Quarters. And the Cloth of colour of the length of 26 Yards measured by the back and the breadth of six Quarters at the least. And that the half Cloth be it of colour or of Ray, shall hold the length and breadth aforesaid after the Rate. And Cloth put

Cloth, measured, &c.

put to sale not so, is to be forfei
to the King, except Clothes mad
for mens own use, or for the poor
42 E. 3. 1. but this being repealed
or altered, There are now diver
other Weights and Measures ap-
pointed for them, and a special
Officer and Office appointed an
erected to look to it, called th
Aulnagen, also Overseers an
others, who is to book and to
measure all Cloth that is to be
sold, and to fix a mark upon them,
expressing what each Cloth con-
tains, for which he is to have a
half penny for every Cloth of
full measure, and a farthing for a
half Cloth, but nothing for lesse
Clothes. But for Cloth not to be
sold, he is not to meddle with it.
Stat. 27 E. 3. *Stat.* 1. 4. And the
Cloth put to sale before it be so
tryed and sealed by him, is to be
forfeit, 3 R. 2. *Chap.* 2. But *Cog-
ware* and *Kendall* Cloth, and

Streats,

Streats, is to be as formerly, 13 *R.* 2. *Chap.* 11. 11 *H.* 6. *Chap.* 9. The Workers, Weavers, and Fullers, are also to put their Seals to the Cloth, 13 *R.* 2. *Chap.* 11. 9 *H.* 4. *Chap.* 2. 11 *H.* 4. *Chap.* 6.

Broad Cloth to be sold is to be in length 24 Yards, with a mans Inch to be added to every yard, and measured by the Crest; and in breadth 2 yards or 7 quarters at least within the Lists; and the half Cloth 12 yards with Inches. And Streats to be sold must be 12 yards and 3. such Inches in length, and one yard in breadth within the Lists, 4 *E.* 4. *Chap.* 1. Kersies for Sale must be 18 yards and 3. Inches in length, and in breadth a yard and a nayl within the Lists; And the half Cloth according to the rate of the whole, 4 *E.* 4. Chap. 1. 1 *R.* 3. Chap. 8.

Broad Cloth must hold 7 quarters

ters in breadth between the Lists, and Kerſies one yard. But this is not to reach *Taveſtocks*, Weſtern Dozens, Frizes, *Kendalls*, Cotton, nor courſe Clothes made for Linings, 27 *H.*8. ch. 12.

Broad-Cloth in *Kent*, *Suſſex*, or *Reading*, muſt be in length between 28 and 30 yards, and in breadth 7 quarters throughout within the Lists, 5 & 6 *E.6.* Ch. 6.

The white Cloth made in *Worceſter*, *Coventry*, or elſewhere, of the ſame ſort, (being wet) muſt be in length betwixt 29 & 30 yards, with Inches of the Standard; and 7. quarters through in breadth between the liſts, and muſt weigh 84 pound at leaſt, and coloured Cloth there of that length muſt weigh 80 pound at leaſt, 5 & 6 *Ed.6. ch.6.* White ſhort *Worceſters* muſt be in length between 23 and 25 yards with Inches, and weigh 60 pound at leaſt.

Colou-

Coloured long Cloth made in *Suffolk*, *Norfolk*, *Essex*, and the like sort, must be between 28 and 30 yards and inches, and in breadth 7 quarters, and weigh 30 pound at least. And coloured short Clothes there and elsewhere, must be in length between 23 and 25 yards, and in breadth as before, and weigh 64 pound at least. And coloured or white Handiwarps of like breadth, and every yard must weigh 3 pound. But for Cloth, and the making thereof, and offences about it, see *Rastall*, *Abridgment of Statutes*, Title, *Drapery*.

All Whites and Reds in *Wilts*, *Gloucestershire*, and *Somerset*, and elsewhere of like making, must be in length between 26 & 28 yards, and 7 quarters in breadth, and weigh (being white) 64 pound; but coloured 60 l. at least. Also Plunkets, Azures, Blues, and other coloured Clothes made there and else-

elſewhere, muſt be in length between 25 and 28 yards, and of the ſame breadth, and weigh 88 pounds. Ordinary Kerſies muſt be in length between 17 and 18 yards, and weigh 20 pounds: And ſorting Kerſies of the ſame length, and weigh 23 pounds.

The length of *Devonſhire* Kerſies, called *Dowſeins*, muſt be between 12 and 13 yards, and weigh 14 pounds.

The length of Broad Clothes, called *Taunton*s, *Bridgwaters*, muſt be between 12 and 13 yards, and in breadth 7 quarters: And every narrow Cloth made there or elſewhere of like ſort, muſt be in length between 24 and 25 yards, and in breadth one yard, and weigh 34 pounds.

Check Kerſeys and Streats muſt be in length between 17 and 18 yards, and in breadth one yard, and weigh 24 pounds.

Frizes

Frizes in *Wales* and elſewhere of like making, are to be 36 yards at moſt in length, and 3 quarters in breadth, and weigh 48 pounds. And the half piece after the ſame Rate.

Northern Clothes muſt be between 23 and 25 yards long, and 7 quarters broad, and weigh 66 pound.

Dowſeins muſt be betwixt 12 and 13 yards long, 7 quarters broad, and weigh 33 pound.

Pennyſtones and Forreſt Whites muſt be between 12 and 13 yards long, and 6 quarters and a half broad, and muſt weigh 28 pounds.

Mancheſter, *Lancaſhire*, and *Cheſhire* Cottons, muſt be 22 yards long, and 3 quarters broad, and weigh 30 pounds.

Mancheſter Rugs or Frizes muſt be 36 yards long, 3 quarters broad, and weigh 48 pounds, 5 & 6 *E.* 6. Chap. 6.

But

But *Tavestocks* are to be as formerly they have been.

But White *Worcesters* and Cloth of that making being well scoured, milled, thicked, and dryed, is now to weigh 75 pounds, by 4 & 5 *Ph. & Ma.* Chap. 5.

And the white Clothes made in the County of *Wilts*, *Gloucester*, and *Somerset*, and others of like making, are to weigh 61 pounds.

The Broad Clothes made in *Kent*, *Sussex*, and *Redding*, and the like, to weigh 86 pounds.

The course short Clothes made in *Suffolk*, *Norfolk*, *Kent*, and *Essex*, and such like, are to contain at the water 6 quarters and a half in breadth.

Handywarps are to weigh two pounds and a half.

The ordinary Kersey between 16 and 17 yards, is to weigh 1[illegible] pounds, and sorting Kerseys 2[illegible] pounds.

Devon-

Devonshire Kerseys are to weigh one pound to the yard.

Welsh Cottons are to be 3 quarters of a yard in breadth, and to weigh one pound and an half the goad, and being well cottoned, to weigh a pound at least, 4 & 5 *Ph. & Ma.* chap. 5. 27 *Eliz.* chap. 17.

Every Cotton well wrought and dryed, is to weigh 21 pound, & to be in length 20 or 21 Goads, and in breadth three quarters, or within one nayl thereof. Frizes and Rugs thicked and dryed, are to weigh 44 pound a piece, and to be in length between 35 and 37 yards, and in breadth 3 quarters, or within a nayl thereof.

The Broad Clothes in the Counties of *Gloucester*, *Wilts*, *Somerset*, or *Oxon.* that are not of the breadth of 7. quarters, if they be (being wet) 6. quarters and a half within the Lists unwrought and listed,

 are

are not to be taken within the Statutes of 5 & 6 E. 6. Chap. 6. and 4 & 5 *Ph. & M.* And by those Statutes, the Broad Plunkets, Azures, Blues and other coloured Clothes made in the County of *Wilts*, *Glouester*, and *Somerset*, or elsewhere of that sort, if they be six quarters and a half within the lists unwrought and listed, are to be held well enough, and it must weigh 68 pounds, 27 *Eliz.* ch. 17. 35 *Eliz. ch.* 9.

Every Piece of *Devonshire* Kersey or Dozen (as it comes from the Weaver's Loom) must weigh 1[illegible] pounds and upwards. And every piece of Rug-wash Kersey made of Wooll as it comes from the Sheeps back, and from the Weaver's Loom, must weigh 17 pounds at least, and be 15 or 16 yards in length, 35 *Eliz.* ch. 10.

And now ordinary Kerseys, by 3 *Jac.* chap. 16 are not to be above

24 yards in length, and to weigh but 28 pounds and a half: But so long they must be.

And by 4 *Jac.* chap. 2. The coloured Broad Cloth made in *Kent*, *Yorkshire*, *Redding*, and elsewhere of that sort, is to be in length between 30 and 34 yards, and six quarters and a half throughout within the lists, and to weigh 86 pounds.

And the length of White *Worcesters* to be between 30 and 33. yards, their breadth 7 quarters, and their weight 78 pounds.

The length of Plunkets, Azures, Blues, and long Whites, between 29 and 32 yards, their breadth six quarters and a half, and their weight 80 pounds.

Sorting Clothes in length between 23 and 26 yards, 6 quarters broad, and to weigh 64 pounds.

Fine short *Suffolks* in length between 23 and 26 yards, six quar-

ters and a half broad, and to weigh 60 pounds.

Handiwarps to be in length between 29 and 32 yards, and seven quarters broad, and to weigh 7[illegible] pounds.

Broad Plunkets and other coloured Clothes made in *Wilts*, or *Somersetshire*, of that sort, to be in length between 26 and 28 yards, six quarters and a half broad, and to weigh 68 pounds.

Short coloured Clothes made in *Yorkshire*, or elsewhere, of that sort, are to be in length between 23 and 25 yards, 6 quarters and a half broad, and to weigh 66 [illegible] And the half Cloth or Dozen to be made after the same Rate.

The Broad listed VWhites and Reds to be betwixt 26 and 2[illegible] yards in length, six quarters and a half broad, and to weigh 6[illegible] pounds.

The narrow listed VVhites and Reds to be in length between 26 and 28 yards, and 6 quarters and a half broad, and the White to weigh 61 pounds, the Red 60 pounds.

Fine Linnens with plain lists, in length between 29 and 32 yards, in breadth six quarters and a half, and to weigh 72 pounds.

Clothes having stop lists, to be in length between 30 & 33 yards, 7 quarters broad, and to weigh 78 pounds.

Tauntons, Bridgwaters, Dunstons, &c. in length between 12 and 13 yards, 7 quarters broad, and weigh 30 pounds. The narrow cloth of like making between 24 and 25 yards long, one yard broad, and to weigh 30 pounds; The half Cloth of that kind to be of the same breadth, length and weight ratably.

But in *Yorkshire*, the Broad Clothes made into VWhites and Reds, to be of the same content; but the narrow to be in length between 17 and 18 yards, and in weight proportionable as aforesaid.

The *Devonshire* Kerseys or Dozens, are to be in length between 12 and 13 yards, and to weigh 13 pounds.

And *Check* Kerseys, Straits, and plain Grayes, to be in length between 17 and 18 yards, a yard broad, and weigh 24 pounds.

The ordinary Pennystones and Forrest-Whites, to be in length between 12 or 13 yards, 5 quarters and a half broad, and to weigh 28 pounds.

And sorting Pennystones to be between 13 & 14 yards in length, 6 quarters and a half broad, and to weigh 35 pounds, 4 *Jac.* chap. 2.

The

The Load of Lead doth consist of 30 Formells, and every Formel containeth six stone except two pounds, and every stone doth consist of 12 pound. And every pound of the weight of 25 s. by which the Sum in the Formell is 70 l. But the sum of the stones in the Load is 8 times 20, and 15; and it is proved by 6 times 30, which is 9 times 20. But of every Formell, there are abated two pound in the foresaid multiplication, which are 60, which make 5 stone. And so there are in the Load 8: times 20, and 15, as is aboveſaid.

Load of Lead. Formel. Stone. Pound.

And as others say, It consisteth of 12 Weights, and this is after *Troy* weight. And the summe of stones in the Load is 8 times 28 Stone, and it is proved by 12. times 14.

Weight of Tallow.

There is a Weight of Lead, of Wooll, Tallow, and Cheese, and weigheth 14 stone.

Laste of Leather.

A Last of Leather doth consist of 20 Diker, and every Diker consisteth of 10 skins.

Gloves a Diker,

And a Diker of Gloves consisteth of 10 pair of Gloves. A Diker of Horse-shooes doth consist of ten shooes. A Dozen of Gloves, Parchment and Vellam in their kind, contain 12 Skins and 12 pair of Gloves.

Wax. Spice. Sugar,

Item, a hundred of Wax, Sugar, Pepper, Cinamon, Nutmegs, and Allum, containeth 13 stone and a half, and every stone eight pounds; the sum of pounds in a hundred, 1801; and the hundred is made up of 5 times Twenty, and every pound of 25 s.

Pounds, how accounted.

Item, The pound of Pence, Spices, Confections, as of Electuaries, consisteth in weight of 20 s. But the

the Pound of all other things weigheth 25 s.

Item, of Electuaries and Confections, the pound containeth 12 ounces, and an ounce the weight of 20 pence. Ounce.

Item, a hundred of Canvas and Linnen Cloth consisteth of 100 elns, and every hundred containeth sixscore. But the hundred of Iron and shillings consisteth but of fivescore. The Dozen of Iron consisteth but of six Pieces. Canvas. Linnen. Elns.

The Seem of Glass containeth 24 Stone, and every stone 5 pound, and so the Seeme containeth Sixscore pound. Seeme of Glasse, What.

But the Binne of Skins doth consist of 33 skins. Binne of Skins.

A Tymber of Cony-skins and Grayes, consisteth of 40 Skins. Tymber of Skins, What.

A Cheffe of Fustian consisteth of 14 Elns. A Cheff of Sindon, of 10 Elns. Cheffe of Fustian.

100 of Garlicks.

A hundred of Garlick consisteth of 15 Ropes, and every rope containeth 15 heads.

A hundred of hard-Fish is eightscore. *Compositio de ponderibus.*

Butt of Malmsey, what.

No Butt of Malmsey is to be bought and sold that is less than 126 Gallons, 1 *R.* 3. 13. 28 *H.* 8. 14.

Honey.

The Barrell, Kilderkin, or Firkin, with Honey, are to be at the least 32 Wine Gallons the Barrell, 16 Wine Gallons the Kilderkin, and eight Wine Gallons the Firkin, under pain of 5 s. forfeiture for every Gallon thereof it shall want, 23 *Eliz.* chap. 8.

The Wine, Oyl, and Honey, have a certain Measure, (*viz.*)

Tun, what.

Pipe, what.

The Tun is to be Twelvescore and Twelve Gallons. The Pipe Sixscore and six Gallons. The

Tercian

Tercian fourſcore and four Gallons. And the Hogſhead Threeſcore and three Gallons. The Barrell 31 Gallons and a half, and the Rundlet 18 Gallons and a half, according to the old Aſſiſe and Meaſure of the ſame Veſſels. And where it is leſs an Abatement is to be made in the buying and ſelling of it, under pain to forfeit it, 11 *H.* 6. chap. 8. 1 *R.* 3. chap. 13. 28 *H.* 8. chap. 14. Tercian.

The Buſhell is to contain Eight Gallons of Wheat, and every Gallon 8. pounds of wheat *Troy* weight, and every pound 12 ounces, and every ounce twenty *ſterlings* [or penny weights;] Every *ſterling* ſhall weigh 32 grains of wheat that grew in the middeſt of the Ear of Wheat. Buſhells of Wheat, What.

Beef and other Fleſh are to be weighed by ſixteen ounces to the pound, Fleſh.

pound, and eight of those pounds to make the stone, except where the usage of the Countrey require more pounds to the stone, *Book of Assise, Dalt. Just.* 175.

Fish. For Fish, Herring the Barrel, half Barrel, and Firkin, is to be of the same content that Ale is, *viz.* The Barrel 32 Gallons, &c. or 30 Gallons. Also Herrings are sold by Tale, (*viz.*) Sixscore Herrings go to the 100; 1000 to the Thousand, and Ten thousand to the Last.

So likewise for a Barrel of Eels, it is to be 30 or 32 Gallons. And

Butt. a Butt of Salmon 84 Gallons. And so of lesser measure after that rate, 11 *H.*7. chap. 23. 13 *Eliz.* chap. 11. 16 *H.*6. chap. 17.

Last. A Last of Herrings containeth 10000, and every thousand Ten hun-

hundred, and every hundred ſixſcore, 8 *H.6.* chap.5.

A Bind of Eels conſiſteth of ten ſtrikes, and every ſtrike 25 Eels, 8 *H.6.* chap.5. All Fiſh is ſixſcore to the hundred. And if it be of hard-fiſh, it is eightſcore to the hundred, *Raſtall, Abridg.* 8. Bind.

Sope, the Barrel, half Barrel, and Firkin is to be as Ale is, the Barrel 32 Gallons or above, and the empty veſſel not to be in weight above 26 pound, the empty Firkin not to weigh above ſix pound and a half, and to contain eight Gallons or above, full and juſt meaſure, 23 *H.*8. ch. 4. And Butter to be of the ſame meaſure as Sope is, *Dalt. Juſt.* 174. Sope Barrels meaſure. Butter weight.

The Wey of Cheeſe muſt contain 32 Cloves, and every Clove 8 pound of *Averdepoys* weight. But ſome Books ſeem to ſay, the Wey of Cheeſe, What.

Clove

Clove is to be but 7 pounds. But *Suffolk* Cheese must be 256 pound, or Twelvescore and sixteen of *Averdepoys* weight. And their Barrel of Butter of like weight. But the Wey of *Essex* Butter or Cheese must be 300 l. weight after the rate of Fivescore and Twelve to the hundred, which is 336 pound, or sixteenscore and 16 l. *Averdepoys*.

A Weight of Cheese is 14. stone, by 2 *H.6.* chap. 11.

Assise of Ale.

The Assise of Ale may be set, and published by Proclamation, according to the price of the corn whereof the Malt is made. And the Brewer is not to increase more in a Gallon but according to the rate of 6 *d.* rising or falling in a Quarter of Malt. *Stat. de pistoribus*, 13 *E.* 1.

Sope-makers Vessells.

The Sope-maker is to make his Vessell as followeth; *viz.* Every empty

empty Barrel to contain 32 Gallons, and to weigh 26 pounds. The content of the half Barrell to be 16 Gallons, and the weight 13 pounds. And the content of the Firkin 8 Gallons, and the weight six pound and a half, 23 *H.* 8. chap. 4.

Of Hemp 20 Weight maketh the stone, by 21 *H.* 8. ch. 12. Stone of Hemp.

For Sugar, Spices, and Wax, 8 pounds do make the stone, and 13 pound and a half, or a hundred pounds the Hundred, *Stat. de Compositione de ponderibus.* Stone of Sugar, Spices, and Wax.

The Assise or weight of Wheat is not to be changed but when there is 6 *d.* increasing or decreasing in the price of a Quarter, *Stat. de Pistoribus*, 31 *E.* 1.

For Wooll, some say 14 pound goeth to the Stone; 28 pounds to the Todd, and 26 Stone or two Weights to a Sack, and 12 Sacks to a Last, *Dalt. Just.* 177. Of Wooll a Stone, Tod, Sack, Weight.

Cark of Wooll, what.

A Cark of Wooll is ſaid to be a quantity, whereof 30 make a Sarplar, 27 *H.* 6. chap. 2. And ſome would have a Load of Wooll to be 80 Tods, each Tod 2 ſtone, each ſtone 14 pounds.

Sack of Wooll, what.

A Sack of Wooll, (*Sacchus lana*, in Latine) is a quantity of Wooll that containeth 26 ſtone, and a ſtone 14 pounds, 14 *E.* 3. *Stat.* 1. chap. 21.

Sarplar of Wooll, what.

A Sarplar (in Latine *Sarplixa*,) is a quantity of Wooll, and ſeems to be all one with a Weigh of Wooll.

Of Wooll, a Stone, what.

And as it is ſaid, That 12 Merchants pounds and a half, (15 ounces to the pound) do make a ſtone; And 14 ſtone do make a Weigh; and that two Weighs or 28 ſtone make a Sack of wooll,

Sack of Wooll,

which

which ought to weigh a quarter of VVheat; And that 12 Sacks make a Last of VVooll. But this commonly of a Sarplar and a VVaigh, is to be understood thus, That the Sarplar is the Case wherein the Wooll is, and the VVaigh respecteth the quantity of the VVooll it self: And that a Load and a Sack is all one. But in all these things, the Custome of the Countrey is to be enquired into.

Last, what.

Waigh, what.

Load.

A Stone of VVooll (in Latine, *Petra Lanæ*) is said to be fourteen pounds; yet in some places by Custome it is more. *Crompt. Just. of Peace*, 83.

Stone of VVooll, what.

And a Tod of VVooll is a quantity containing 28 pounds in weight, or Two stone.

Tod of Wooll, what.

And with us in *England* (as some say) a Load of VVooll is Eighty Tod, each Tod consisting of two

Load of Wooll, What.

ſtone, and each ſtone of fourteen pounds.

And that a Sack of VVooll in common Account in ſome places, is equall with a Load, or Twenty ſix ſtone.

And a Sarplar (otherwiſe called a Pocket) is a half Sack.

And further; That a Pack of Wooll is a horſe-load, conſiſting of 17 ſtone and two pounds. For a ſtone of VVooll is in ſome places 14 pounds, in ſome places more. And a Tod is 28 pound in weight, or two ſtone. And that a Sack of Wooll is 26 ſtone, and 14 pound; *Stat.* 11 *H.* 7. ch. 4. 31 *E.* 3. chap. 8.

The

The Measures of Wine, Beer, and Ale, by Dalton's *Just. of Peace*, 174.

Of Wine, Oyl, and Honey, their Measure is all one; Scil.

The	Rundlet, 16 and a half,	Gallons.
	Barrel, 32 and a half,	
	Hogshead, 63	
	Pipe 126	
	Tun 252	

A Puncheon of Wine 84.
A Hogshead 63.
A Tierce 4 and a half.
A Barrel 31 and a half.
And a Rundlet 18 and a half.
But for the Honey, the Assise is altered to 32 VVine Gallons the Barrell: 16 Barrels the Kilderkin, &c. 23 *Eliz.* Chap. 8.

Beer, the Measure thereof is as followeth; Viz.

The	Firkin 9. Kilderkin 18 Barrell 36	Gallons.

And so Beer Measure containeth in the Barrell 4 Gallons more than Wine, or any other Vessell, 23 *H.* 8. chap. 4.

The Measure of Ale *is as followeth*; Viz.

The	Firkin 9. Kilderkin 16 Barrell 32	Gallons.

The Measure of Wine and Oyl was to be all one; And now by the Statute of 1 *Jac.* chap. 9. Ale and Beer are to be sold by Retail by one and the same Measure,

ſure, (*ſcil.*) by the Ale quart. And no Cooper is to make, nor Brewer to uſe, Veſſels of any other meaſure, unleſs they be marked to be of a greater or leſſer quantity, by 23 *H.* 8. chap. 4.

The Meaſure of Wine.

The Tun of VVine is to contain 252 Gallons *Engliſh* meaſure. The Butt or the Pipe 126 Gallons. The Punchion 84. The Hogſhead 63. The Tierce 4 and a half. The Barrel 31 and a half. And the Rundlet 18 and a half. And ſo of other leſſer Meaſures after the ſame Rate. 7 *H.* 6. ch. 11. 1 *R.* 3. chap. 13.

Measures of Corn.

By *Dalton*, 171. this description is made:

1. All kind of Corn and Grain is to be measured by the Troy weight.

Gallon. 2. By the *Statute*, the Bushell must contain eight Gallons, or 64 pounds or pints of wheat, 31 *E.*1. chap.12. *H.*7. chap. 12. And yet by the Book of Assise imprinted 1597. the Bushel is to contain 56 pounds (or pints) of *Averdepoys* weight (which is three pounds or 3 pints and 8 ounces *Troy*, more than the *Statute* of *Troy* weight): For 56 Pounds or Pints *Averdepoys* weight, and 67 Pounds *Troy* weight, do agree.

Bushel.

Quarter of Corn. 3. That 8. Bushels stricken and razed, do make the Quarter of Corn,

Corn, 11 *H.*7. chap.4. 25 *E.*3. chap.10. 34 *E.*3. chap.6. 15 *R.*2. chap. 4.

4. That every Measure of corn is to be stricken without heap, 25 *E.* 3. chap. 10. And all Purveyance is to be made by this measure, *Ibid.* And the Bushell now is to contain 8 Gallons of Wheat, and every gallon to contain eight pound of wheat of *Troy* weight, every ounce to contain 20 *sterlings*, and every *sterling* to be of the weight of 32 corns of wheat that grow in the middest of the Ear, by 12 *H.*7. chap.3.

5. That VVater Measure sold within Ship-board, shall contain 5 Pecks stricken to the Bushell, 11 *H.* 7. chap.4. Water-Measure.

6. All these Measures are to

be sealed, and marked by the Officer, according to the Standard.

7. That the Countries and places differ herein, and *Consuetudo loci est observanda*, if it be a Custome time out of mind, albeit it be against the *Statutes*, *Plow.* 36. 8 *H.*7. 4. and *Stat.* 47.

For Tymber well hewed and perfectly sawed, 50 foot make a Load.

For the Assise of Fuell, see 7 *E.* 6. chap.7. 43 *Eliz.* chap.4.

And for the measuring of Land, see 31 *E.* 1. *Treatise of measuring of Land.*

SECT.

SECT. IV.

The Rules and Orders to be observed for the preventing and Cure of the Disorders in Weights and Measures; And in the Prices of Commodities.

1. THE King is to have a Royall Standard in the *Exchequer*, for the Rule and Regulation of all the VVeights and Measures whatsoever of the Nation. And this is to be sent, or is sent and settled in every City, Burrough, and Town of the Nation, 12 *H.*7. chap.5. The King's Standard.

2. There is to be but one Weight and Measure of VVine, Ale, Beer, Corn, Cloth, and other Commodities bought and sold, of Bushels, Gallons, and other VVeights. One kind of Weight and Measure.

And

And this is to be according to the example of the King's Standard in the *Exchequer*, *Magna Charta*, ch. 29. 14 *E*. 3. chap. 12. 25 *E*. 3. chap. 10. 13 *R*. 2. chap. 8. *Stat. Stapulæ*, 27 *E*. 3. chap. 10. 16 & 17 *Car*. 1. chap. 19.

Standards of Brass in every County and City.

3. That in every County (*scil.* in the Principal or Shire Town there) there are, or ought to be Standards of Brass for VVeights and Measures, (*scil.* for the Bushel, Eln, and Gallon) according to the King's Standard of his *Exchequer*, there to remain with the Chief Officers of the same Town. And this is to be sealed with an Iron Seal of the King. And according to the scantling of which, every City, Burrough, and Market-Town within the County, ought to make them common Weights & Measures, of Bushels, half Bushels, Pecks, Gallons, Pottles,

tles, and Quarts, to be marked by him that keepeth the Standard. And this is to be called the *King's Standard*, 11 *H*.4. 12 *H*.7. ch. 5. *Magna Charta*, chap. 25. 16 *R*. 2. chap. 3.

Clerk of the Market.

And according to this, the Clerk of the Market is to order, regulate, reform them all where he hath to do, 12 *R*.2. chap. 3. And this is to be in the Shire-Towns hereafter named; And to be kept by the Mayor, Bayliffs, and other sworn Officers for the purpose, before whom the Measures are to be sealed, 11 *H*. 7. chap. 4.

A Common Ballance in every City.

4. That in every City, Burrough, and Market Town, there ought to be a Common Ballance, and a common Bushel, & Weights sealed with an Iron seal of the King's, and according to the Standard of the Shire Town, 11 *H*.6.

chap.

chap.8. 8 *H.6.* chap.5. And the Mayor or Chief Officer is also to have a special mark wherewith to seal the Measures and VVeights, by 7 *H.7.* chap. 4.

All things to be bought and sold by the King's Measure.

5. That no man within any City or Market-Town, or (as it seems) without any Market Town, is to buy or sell by any VVeights or Measures not sealed and marked in form aforesaid, *scil.* according to the King's Standard, and by the Officers in whose possession the King's Standard remaineth, 11 *H.7.* chap.4. 27 *E.2.* ch. 10. 8 *H.6.* chap.5. 13 *R.2.* chap. 9. *Crompt. of Weights*, 94. *Dalt. Just.* 177. 31 *E.* 1.

So that now there is to be in every City, Burrough, and Town in *England*, a Common Ballance, with Common Weights, sealed according to the *Standard* of the *Exchequer*, at the common charges, and

and a common Bushell sealed according to the same *Standard* for common use, by 8 *H.* 6. chap. 5. and 11 *H.*6. chap. 8. And by this as well the Weights of the same City, Burrough, and Town, as the Measures and VVeights within the same Shire, may be and are to be corrected, reformed, amended, and made according to the *Standard*. And the Chief Officers of these places are also to have a speciall mark and seal to make the Weights and Measures that shall be allowed and approved by them upon examination, 11 *H.*7. ch. 4. And none but such as are so marked with the King's mark, and with a special mark or seal of the Shire Town, is to be in any Town, by 11 *H.*7. chap. 4. 12 *H.*7. ch. 5. *Stat. de Pisioribus*, 31 *E.* 1. 8 *H.* 6. chap. 5. 11 *H.*6. chap. 8. 8 *H.*7. chap. 4. 11 *H.*7. chap. 4. 12 *H.*7. chap. 5.

The

The Officer that keepeth the Standard in the ſhire-Town, is to mark and ſeal other Weights and Meaſures to all the Kings Subjects that ſhall require it. But no Meaſure but the Buſhell, half Buſhel, Peck, Gallon, Pottle, Pint, and Quart, is to be ſealed, *Crompt. Jur.* 222. 21 *H.*7. chap.4. *Dalt. Juſt.* 177.

Fees for Sealing.

And for this he is to have for the Buſhell but a penny; for all other Meaſures but a half-penny. And for Weights for every 100 weight a penny, and for half a hundred weight a half-penny, and for every weight under, a farthing, 21 *H.*7. chap.4.

But the Mayor or chief Officer of a City, it ſeems, is to have for the ſealing of a Buſhell, a penny; and of every other Meaſure, a half-penny; for a hundred weight, one penny; half a hundred weight, a half-

a half-penny; and for a lesser weight, a farthing, by 7 *H.* 7. chap. 4.

And where the Mayors and Chief Officers of Cities, Burroughs, and Market-Towns, have had the delivery of such Weights and Measures sealed with the letter H. crowned, or with the first letter of the Name of the King of *England* for the time being, (as all or most of them have) they may therewith sign any such Weights or Measures to any of the King's Subjects requiring it, 11 *H.* 7. chap. 4.

6. That the King may appoint speciall Officers in every such place, to oversee, hear, and determine the offences herein, 14 *E.* 3. chap. 12. 25 *E.* 3. chap. 10. The King's Power to appoint Overseers herein.

And these are to account, and answer to the King for all the penalties

nalties and forfeitures, 11 *H.* 6. chap. 8. 11 *H.* 7. chap. 4.

Fees for weighing.

7. That every one of the City, Burrough, and Town, where the Common Weight and Ballance is, may weigh *gratis*. But a Foreiner is to pay for every draught under 40 l. a farthing; betwixt 40 and 100 l. a half-penny, and between 100 l. and 1000 pound, a penny, 8 *H.* 6. chap. 5. 7 *H.* 7. chap. 4.

Places and Persons exempt from the Laws herein.

8. But these Laws, of 11 *H.* 6. chap. 8. and 4 *H.* 7. chap. 4. and 11 *H.* 7. chap. 4. As to the having and keeping of such a strict standall for Weights and Measures, and the suffering of men to use it, and that for the small Fine appointed, and for the Imposition of a mark of the Place, also where the Standard is, Do not bind in all places: For the Burgesses of

Dor-

Dorchester are not to be bound by it, but that they in that Town, and within 12 miles of it, may weigh and take for weighing as formerly they used to do. Nor is the Cinque-Ports to be bound by it. Nor is it to hurt or prejudice the Prince within the Dutchy of *Cornwall*. Nor is it to be extended to any of the Weights belonging to the Cunage of Tin within *Cornwall* and *Devonshire*, but that there they may do herein as formerly they used to do, 12 *H*. 7. chap. 5. And some think also, that these *Statutes* extend not to any Town which is no City, Burrough, or Market-Town, but that it may be there as it was before the making of these *Statutes*, *Dalt. Just.* 177.

None to buy or sell but by sealed weights.

9. That no man is to keep, or to buy or sell by any other weight or measure, than by such as are so tryed, and allowed, as before is appointed, 16 & 17 *Car.* 1. ch. 19.

Officers to allow and seal just Weights, &c.

10. That no Officer, Mayor, or other, is to seal any Weight or Measure that is not according to the King's Standard. Nor may he refuse, or delay to seal and allow of such a one as is according to the Standard, the party offering to pay the Fee appointed for the same: Nor may he refuse to examine Weights and Measures, being desired, or to sign them, being formerly marked and sealed. 16 & 17 Car. 1. chap. 19.

Jury to enquire of these Offences.

11. That for the discovery of these offenders and offences touching Weights, &c. and that sell at unreasonable Rates, or unwholsome Victuals, &c. Juries be charged to enquire and present. And for this, to examine the prizes of Corn about the place. To enquire of Vintners how they sell their Wines; whether wholsome

Wines,

Wines, and at what Rate. Of such as use double, or false weights or Measures. And of Butchers and Cooks that sell unwholsome meat. And of Forestallers, &c. And of Butchers that sell Swines-flesh meazled, or dead of the murren, *Stat. of Pillory and Tumbrell*, 51 *H.* 3. *De Pistoribus*, 31 *E.* 1. Also they are to enquire if there be a convenient Pillory and Tumbrell in the place to punish such offenders, *Ibid.*

12. That no grain is to be sold by the heap or Cantell, but every Measure of Corn is to be striked. But the Rents and Farms of Lords are to be measured as formerly they have been, by 31 *E.* 1. 14 *E.* 3. chap. 12. 1 *H.* 5. chap. 10. 16 & 17 *Car.* 1. chap. 19. 25 *E.* 3. chap. 10. But the Purveyors for the King were to have had by striked measure.

Corn to be sold by measure, not by heap.

Coopers Vessels.

13 That no Cooper make any Vessels for Beer or Ale to be sold in the Realm, but according to 23 *H.*8. And if he make any of a greater or lesser number of Gallons, that he mark it, what content it is, 23 *H.*8. chap. 4.

Vessels for Ale and Beer.

14 That no Brewer of Beer or Ale shall put the Beer or Ale to sale to be spent within the Realm, in any Barrels, Kilderkins, Firkins, or other Vessels of Wood, but such as are marked by a Cooper, and those to be of the number of Gallons appointed by the Statute, 23 *H.*8. chap. 24.

Gawging of Vessels.

15 The Vessels that are Tuns, Pipes, Tercians, and Hogsheads of Wine, Oyl, and Hony, that are bought and sold, are to be gawged by the King's Gawgor. For this, see 18 *H.*6. chap. 17. 28 *H.* 8.

8. chap. 14. 27 *E.* 3. chap. 8. *Stat.* 1. 31 *E.* 3. chap. 5. 4 *R.* 2. chap. 8. 23 *H.* 6. chap. 10. 31 *El.* chap. 18. And the Wardens of Coopers in Cities and Burroughs where they are. And in other Towns the Mayor, Sheriffs, Bayliffs, Conſtables, and other head-Officers, may ſearch and gage all ſuch veſſels, made in ſuch City or Town, whether they bear the Contents appointed for veſſells, and where they be defective make them to amend, or burn them, 23 *H.* 8. chap. 4.

Officers to take Oath when they come into Office, &c.

16 The Mayors and Head-Officers of ſuch places where Weights and Meaſures are to be kept and tryed, are to take their Oaths when they come into their Offices, to obſerve the Statutes for Weights and Meaſures. And they are yearly to account with the King for the forfeitures upon

the Statutes for Weights and Measures, by 11 *H.* 6. chap. 8.

Prices of Ale and Beer Vessels.

17. Two Justices of Peace in the County, Mayors, &c. may assess the prices of vessels of Ale and Beer. And no Brewer may take for any Barrel, Kilderkin, or Firkin, &c. of Ale or Beer, above the Rate assessed by the Justices of the County, or head-Officer of the place. And if it be done by the Justices of the Peace, it must be only upon the vessels that are made, or sold out of Cities or Corporate Towns: And then it must be done also at the *Easter* Quarter-Sessions, and can be done at no other time or place, 23 *H.* 8. chap. 4.

Rate of the Wines.

The Lord Chancellour, Lord Treasurer, President of the Council, Privy Seal, Two Chief Justices, 5 or 4 of them may set the prices

prices of the Butt, Tun, Pipe, Hogshead, Puncheon, Tierce, Barrell or Rundlet, of all kind of Wines by Proclamation, by 27 *H.* 8. chap. 14. 37 *H.* 8. chap. 23.

18. That Mayors and Chief Officers are once a Year, at the least, to View their Measures and Weights, and break or burn such as they find defective, 11 *H.* 7. chap. 4.

Officers are to Oversee Weights every year.

19. That the Officer of the place is to seal and allow of such Weights and Measures as are just and according to the Ballance, being required, the party offering to pay what is appointed by the Statute for it, 16 & 17 *Car.* 1. chap. 19.

Officers to allow and seal just Weights.

20. That there must be made and kept in every such City, Bur-

Pillory and Tumbrell to be every where.

the Statutes for Weights and Measures, by 11 *H.* 6. chap. 8.

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19. That the Officer of the place is to seal and allow of such Weights and Measures as are just and according to the Ballance, being required, the party offering to pay what is appointed by the Statute for it, 16 & 17 *Car.* 1. chap. 19.

Officers to allow and seal just Weights.

20. That there must be made and kept in every such City, Burrough,

Pillory and Tumbrell to be every where.

rough, and great Town, and in other Towns and Places where Weights and Measures are, a Pillory and Tumbrell in case fit to punish such offenders. *Stat. of Pillory and Tumbrell*, 51 *H.* 3. *de Pistoribus*, 31 *E.* 1.

Bakers. 21. That Bakers are not to sell to any Victualler, &c. to be retailed, &c. but only 13 pennyworth for 12 *d.* as well horse, as man's Bread.

That every Baker is to have a mark on his Bread.

That all sort of Bread is to be weighed according to the middle sort of corns price.

That Bakers in Burroughs, Cities, and Corporate Towns, are to have 6 s. allowance for the baking of every Quarter of Wheat over and above the second price of Wheat in the Market. And the Bakers that live out of such places,

places, are to have only 4 s. for the Quarter. *Dalt. Just. Peace.*

22. *The Names of the Towns limited for the safe Custody of Weights and Measures according to the King's Standard, for the Shires following:*

Westmerl. The Town of *Apulby.*

Northumb. The Town of *New-Castle.*

Lancast. The Town of *Lancaster.*

Eborum. The City of *York.*

Lincoln. The City of *Lincoln.*

Derby. The Town of *Derby.*

Notting. The Town of *Nottingham.*

Leicest.

Leicest.	The Town of *Leicester.*
Warw.	The Town of *Coventry.*
Rutland,	The Town of *Uppingham*
North.	The Town of *Northhampton.*
Bedford.	The Town of *Bedford.*
Buck.	The Town of *Buckingham.*
Cantab.	The Town of *Cambridg.*
Huntingt.	The Town of *Huntingdon.*
Norfolk,	The City of *Norwich.*
Suffolk,	The Town of St. *Edmondsbury.*
Essex,	The Town of *Chemes.*
Hertf.	The Town of *Hertford.*

Midd.

Midd. In *Westminster.*

Kant. The Town of *Maidstone.*

Surr. The Town of *Guilford.*

Sussex. The Town of *Lewes.*

Oxon. The Town of *Oxenford.*

Berk. The Town of *Redding.*

Salop. The Town of *Shrewsbury.*

Stafford. The Town of *Stafford.*

Heref. The Town of *Hereford.*

Gloucest. The Town of *Gloucester.*

Wigor. The City of *Worcester.*

Wiltsh. The City of New *Salisbury.*

South.

South.	The City of *winchest.*
Som.	The Town of *Ilchester.*
Dorsetsh.	The Town of *Dorchester.*
Devon.	The City of *Excester.*
Cornub.	The Town of *Lestudiel.*
London.	The same City.
Bristoll.	The same Town.
Cinq. Port,	The Castle of *Dover.*
Civ. Coventry,	The same City.
Southampton,	The same Town.
Civit. Chester,	The same City.

Anno 11 *H.*7. chap. 4.

23 That

23 That Millards as they are to take for Toll according to the strength of their Water the 20th or 24th corn, or according to the Custome of the place: And they are to measure it by the Race, and not by heap or Cantell: And this they are to do by a Measure agreeable to the King's Standard, *Stat. de Pistoribus*, 31 *E.* 1. And yet in some places they take the 16th part. And this perhaps, where time out of mind it hath been used, may be warrantable. But the Millard ought to take but one quart for the grinding of one Bushell of hard corn: And if he fetch and carry back the grist to the owner, he may take two quarts of hard corn (that is) of Wheat, Rye, and Meslin, (which is of Wheat and Rye mixed). And for malt, the Millard is to take but half so much Toll as he taketh for hard corn,

Millards.

Meslin, What.

corn, (*scil.*) one pint in the bushel; for that Malt is more easie ground than Wheat, or Rye. But if he fetch to, and carry it from, the Mill; he is to have double Toll, *Crompt. Jur. of Courts*, 221. *Dalt. Just.* 174. And Millards may not be common buyers of corn, to sell the same again in corn or meal, but ought onely to serve for the grinding of corn that shall be brought to their Mills.

SECT.

SECT. V.

The Punishment of Offenders in Measure and Weight, and in price of Commodities.

IF a Baker or Brewer break the Assise of Beer or Bread set, he is to be amerced for every offence: And being convicted for the 4th offence, or of some foul or frequent miscarriage, the Baker is to be punished by the Pillory, the Brewer by the Tumbrell or Cucking-stool, or be Carted, or the like. And for every time he is convicted of the offence, to be amerced, *Stat. of Pillory and Tumbrell*, 51 *H.* 3. *Stat. de Pistoribus*, 31 *E.* 1. & 13 *R.* 2. And it is held also, That the Justices of Peace, Mayor, and Head Officers of great Towns, and Stewards in Leets, who

Penalty.

Bakers and Brewers.

who have Jurisdiction in these Cases, may take away their light and unlawful bread, and give it to the Poor. *Lamb.* 62. *Dalt.* 172.

For Corn measure.

He that sells more than Eight Bushells for the Quarter, is to forfeit it, 15 *R.*2. chap.4.

For use of false Weights.

He that (out of *Lancashire*) shall use any other weight or measure in buying or selling than according to the King's Standard, and is convicted of it, is to be 6. months imprisoned, and give damages to the party grieved, *Magna Charta*, chap. 25. 14 *E.* 3. Chap. 12. 25 *E.*3. chap.10. 13 *R.* 2. ch. 9. *Stat. Stapulæ*, 27 *E.* 3. 10. 16 & 17 *Car.*1. ch.9. He is also for the first offence to pay 6 s. 8 d. for the second, 13 s. 4 d. and for the third offence, 20 s. And if his offence be foul, to be set in the Pillory, 11 *H.*7. chap.4. If

If any use any deceipt in weighing Commodities by an uneven tongue of the Ballance, or by putting hand, foot, or other touch, under pain to forfeit what is so weighed, a years imprisonment, and quadruple damages to the Party, 25 *E.*3. chap.10. For deceit in weighing,

Cunst: 8 9

If any buy or sell by, or keep unlawful Measures, he forfeits 5 s. for every such offence, by 16 & 17 *Car.*1. chap. 19.

That if any buy or sell in great Towns with Measures unsealed, having been examined by the Mayor and Bayliffs, he may be punished by Amercement, 11 *H.* 7. chap.4. 11 *H.* 6. chap.8. For selling or buying with unlawful Weights.

If the Baker's Bread be found a farthing weight lacking in two shillings 6 d. or under, he is to be Bakers for lightbread.

amerced. But if it be over, he is to be put in the Pillory, *Stat. de Pistoribus*, 31 *E.* 1. But by this it seems, if it want not a penny weight in six ounces, he is not to be punished at all.

Such as sell Brass or Pewter by false Weights.

If any in the selling of Brass or Pewter, use any false Beams or Weights, he is to forfeit 20 s. and if not able to pay, he is to be put in the Stocks the next Market-day, and then to stand upon the Pillory, by 19 *H.* 6. chap. 6.

For Tyle that wants measure.

For Tyle made not according to the measure of the Statute, the offender forfeits for every hundred of plain Tyle 5 s. and every hundred of roof Tyle, 6 s. 8 d. by 7 *E.* 4. chap. 4.

The City that wants a settled Weight.

The City, Burrough, Market-Town, that hath not a Common Ballance, and a common Bushell, and Weights sealed, and according

ing to the Standard in the Shire-Town, forfeits the City 10 l. the Burrough 5 l. and the Market-Town 40 s. for every default, 11 *H.* 6. chap. 8. 8 *H.* 6. chap. 5.

Officers that seal unlawful, or refuse to seal lawful Measures.

The Officer that shall seal any Weight or Measure that is not according to the King's Standard, or that shall refuse or delay to seal and allow of such as are according to the Standard, the party offering to pay the Fee appointed, or according to the Custome of the place, forfeits 3 l. to the use of the Poor of the place. And if he shall take more than the Fee appointed for the examining and signing of such as have been formerly marked or sealed, he shall forfeit for the first offence 5 l. for the second 10 l. and for the third, 20 l. to the Poor of the place, by 16 & 17 *Car.* 1. chap. 19.

That take undue Fees.

He that shall refuse or delay to seal Weights and Measures, being appointed so to do, and for the Fees appointed, forfeits 40 s. by 11 *H.*7. chap.4. 16 & 17 *Car.* 1. chap. 19.

Price of Vessels of Wine.

He that sells Vessels of Wine at any other price than is set down by those that have authority to do it, forfeits 40 pounds, by 28 *H.*8. chap. 14.

For Wine bad.

Corrupt Wines may be poured out, and the Vessels broken, by 4 *E.*3. chap. 12.

For Wine forestalled.

Wines forestalled may be forfeited, by 27 *E.*3. *Stat.* 1. chap. 5. So if it be sold above the prices set, 6 *R.* 2. Stat. 1. 2.

For Vessels of Wine that want measure.

He that shall import or make any Vessel for Wine, the Tun not

252 Gallons *English* measure, the Pipe 126 Gallons, shall forfeit all that is in the Vessel, 2 *H.* 6. chap. 11.

The Mayor or Chief of any place that hath a Standard for Measures and Weights, and a seal for them, and shall refuse or delay to seal and allow such as are offered, and he is desired, or that shall take more than what is appointed by the Statute, forfeits 40 s. to the King and party grieved, by 7 *H.* 7. chap. 4.

Officers that refuse to examine and allow measure by their Standard.

He that shall make and put to sale any Talshid, Billet, Faggot, or Sack of Coals against the Assise of Fuell set down by 7 *E.* 6. ch. 7. forfeits it, and it may be given to the Poor.

Fuel that doth want Assise.

If any sell a Vessel of Oyl, Honey, Wine, or other Liquor, not duly

For buying or selling by a Vessel not gauged.

duly gawged according to the Statute, under pain to forfeit to the buyer, the double value of what it wants of due measure. And the Gawger that hath not duly marked such a Vessel, shall forfeit to the buyer the quadruple value of what it wants, and his loss by it, 11 *H.* 7. 5.

For selling of Ale and Beer that is not according to the Assise.

He that breaks the Assise of Ale or Beer set by such as have authority to set it after the Proclamation made of it, is for the first, second and third offence, to be amerced, and for the fourth, to be put in the Pillory, by *Stat. de Pistoribus*, 30 *E.* 1.

Officers Fees.

If any Officer that hath power by his Office to examine, allow of, and seal Weights and Measures, do take any Fee and Reward, or summ of money, but what is given him by the Statute, or

or some such antient Custome, for the signing or examination of Weights and Measures, which have been formerly marked or sealed; or shall impose any Fine or Amercement, without a legall tryall of the offence, or otherwise misdemean himself in the execution of his Office, he shall forfeit for the first offence 5 l. for the second 10 l. and for every offence afterwards 20 l. to the use of the Poor of the place, 16 & 17 *Car.* 1. chap. 19.

Officers miscarriage.

The Butcher that shall sell Swines-flesh meazled, or dead of the murren, is for the first offence to be amerced; for the second to be put in the Pillory; For the third, to be imprisoned; For the fourth, to be put out of the place, *Stat. de Pistoribus*, 31 *E.* 1.

Of a Butcher for uttering bad Meat.

Of Millards for excessive Toll.

Millards that take excessive Toll, or by undue Measures, are to be amerced or fined, by *Stat. de Pistoribus*, 31 *E.* 1.

Forestallers, Regrators, and Ingrossers.

The Forestaller is not to be suffered to dwell in the Town where he is; for his first offence, to forfeit the thing bought. For the second offence, to be put in Pillory. For the third, to be Fined and Imprisoned. For the fourth, to abjure the Town, *Stat. de Pistoribus*, 31 *E.* 1.

And Forestallers, Regrators, and Ingrossers of Victuals and such like Commodities, to enhance the prices thereof, are by 5 *E.* 6. 14. to forfeit for the first offence the value of the goods so bought or had, and suffer two moneths Imprisonment without Bayl. For the second offence, the double value,

lue, and to suffer six moneths Imprisonment without Bayl. And for the third offence, to forfeit all his goods, and be set on the Pillory.

For the offences of Victuallers, Inn-holders, and Hostlers, referring to these things, See 12 *E.* 2. chap. 6. 23 *E.* 3. chap. 6. 31 *E.* 3. chap. 10. 6 *R.* 2. *Stat.* 1. 9. 10. 13 *R.* 2. chap. 8. 12 *E.* 4. chap. 8. 25 *H.* 8. chap. 2. 2 & 3 *E.* 6. chap. 15. 1 & 2 *Ph.* & *Ma.* ch. 5. 21 *Jac.* chap. 21.

Victuallers, Inn-holders, and Hostlers.

If any sell Wine by Retail, or without Licence duly had, against 7 *Ed.* 6. chap. 5. For Wine sold by Retail out of Cities, Burroughs, Port-Towns, or Market-Towns, or in *Gravesend*, *Sittingborn*, *Tucksford*, or *Bagshot*, he forfeits 10 l. For selling Wine in such Cities and places without Licence of the chief

For selling of Wine by Retail, or without Licence.

chief Officers and Governours therein, and in places not Corporate without Licence of the Justices of Peace, forfeits 5 l. for every day he sells, by 7 *E.6.* chap. 5.

For selling at Rates forbidden.

If Beer and Ale-Brewers sell their Beer or Ale at other Rates than such as are set down by the Justices of Peace in Counties, and head Officers in Corporations, they forfeit for every Barrell 6 s. for every Kilderkin 3 s. 4 d. for every Firkin 2 s. and for every greater Vessel 10 s. and for every lesser 12 d. by 23 *H.*8. chap. 4.

Of Coopers.

The Forfeitures of Coopers for offences, referring to measure, See in *Stat.* 23 *H.* 8. chap. 4. 8 *Eliz.* chap. 9.

For Transportation and Importation.

For the offences of this nature, and Forfeitures by them in Transportation and Importation of Commodities, See 35 *Eliz.* ch. 11.

9 *E.* 3.

9 *E.*3. chap.1. 25 *E.* 3. *Stat.*4.2. 27 *E.* 3. *Stat.* 2, 3, 11, 13, 17. 1 *R.*3. chap.12. 12 *H.*7. chap.6. 1 *Eliz.* chap. 11. 3 *Jac.* chap. 6. & 9. 1 & 2 *Ph. & Ma.* chap.5.

For the offences of this nature by Merchants, touching the buying and sale of Commodities, and Forfeitures thereof, See 9 *E.* 3. chap. 1. 14 *E.* 3. chap. 4.2. *Stat. Stapulæ*, 27 *E.*3. *Stat.* 1,2,11,13, 16, 17. 38 *E.*1. 2 *R.*2. chap. 1. 16 *R.*2. chap.1. 5 *H.*4. chap. 9. 6 *H.* 4. chap.4. 7 *H.* 4. chap. 9. 8 *H.* 6. chap.24. 3 *E.* 4. chap.4. 17 *E.*4. chap.1. 1 *R.* 3. ch. 9, & 12. 12 *H.*7. ch.6. 1 *Eliz.*ch.11. 43 *Eliz.*chap. 12. 3 *Jac.*chap. 6. See *Victuallers*, &c. Merchants.

SECT.

SECT. VI.

What the Powers of the Justices of Peace and others are herein.

THE Justices of Assise, and of *Oyer* and *Terminer*, may and do enquire of false Weights and Measures, *Cook*. 4 Part of his *Institutes*, chap. 61.

The Justices of Peace may in their Sessions enquire of, hear, and punish the offences of Bakers, Brewers, Vintners, Butchers, and Cooks, and others that offend in the weight, measure, or price of their Bread, Beer, Meat, or the like, the Butchers that sell unwholsome Meat, &c. upon *Magna Charta*, chap. 21. and *Assisa Panis et Cervisiæ*, 51 *H*. 3. *Stat. of Pillory and Tumbrell*, 51 *H*. 3. *Stat. de Pistoribus*, 31 *E*. 1.

The

The faults of head Officers in Cities, Burroughs, and Market-Towns, that do not twice a year view and examine their Weights and Measures in their Towns, &c. and that do not break and burn the defective.

The Faults of all Buyers and Sellers, which do not buy and sell with Weights and Measures that be lawful, (*scil.*) such as be marked and sealed; in Market Towns such as be marked and sealed like and equal with the King's Standard; And so it seems also out of Market-Towns. And the Justices are also to break and burn all defective Weights and Measures, 11 *H.7.* chap.4. And they may Fine the offenders as in case of Trespasses, and proceed to levy it as in cases of Fines for Trespasses.

Such

Such as uſe any deceipt in weighing by the true and right weight. Such as uſe any other Meaſure or Weight but according to the King's Standard. Such as uſe double VVeights and Meaſures. The Cities, Burroughs, and Towns that have not a Common Ballance, with Common Weights ſealed according to the King's Standard, and that do not allow and mark with Seal the Weights and Meaſures of others that deſire it, paying the due Fee. The Mayors and Officers that do not once a year over-look the Weights and Meaſures, and break and burn ſuch as are defective, and puniſh the offenders. Such as ſeal any VVeights or Meaſures, and not according to the King's Standard. Such as exact undue Fees, or otherwiſe miſdemean themſelves in their Offices about

weights

Weights & Measures, and the rest of the offenders, upon the Statutes of 25 *E.* 3. ch. 10. *Statutum Stapulæ*, 17 *E.* 3. 10. 1 *H.* 5. chap. 10. 2 *H.* 6. chap. 11. 8 *H.* 6. chap. 5. 11 *H.* 6. chap. 8. 1 *H.* 5. chap. 10. 7 *H.* 7. chap. 4. 11 *H.* 7. chap. 4. 16 & 17 *Car.* 1. chap. 19. 34 *E.* 3. chap. 6. So likewise of the Measures of Cloth, 4 *E.* 4. chap. 1.

The Justices may hear and determine these offences, and punish these offenders: But it must be in their publique Sessions, and by way of Indictment or Presentment. And out of a Sessions, all that the Justices of Peace may do, is upon 16 & 17 *Car.* 1. chap. 19. By which any one Justice of Peace upon proof by the oath of one witness, that a man hath bought or sold by, or doth keep any other Weight or Measure whereby any thing is bought or sold,

ſold, than according to the Standard, may ſend his Warrant to the Church-Wardens and Overſeers of the Poor of the place where the offence is committed, or one of them; to give them notice thereof, who are thereupon, by their Offices, to levy by diſtreſs and ſale of goods five ſhillings, rendring the over-plus. And if there be no diſtreſs by the words of that Law, Any Juſtice of Peace, Mayor or other head-Officer (in their Precincts reſpectively) may commit the offender to priſon till he pay the ſame Forfeiture.

And theſe Judges and Juſtices do take much of the power of the Clerk of the Market from him, ſo that he hath now little to do, *Coo.* 4 Part, *Inſt.* chap. 61.

And the Juſtices may and ought (as *Dalton* affirmeth it to be held by

by many learned men) to sit with the Clerk of the Market in the execution of his Office, and to see that he wrong not the Country, *Dalton*, pag. 172.

The Justices of Peace may also in their Quarter-Sessions punish many other of the offences referring to the making, buying, and selling of Provision for Man and Beast: As, not making of good Malt, by 17 *R.* 2. chap. 4. 2 *E.* 6. chap. 10.

Butchers, Fishmongers, Innholders, Tiplers, Brewers, Bakers, Poulterers, and other Victuallers, that do not sell at reasonable prices, having respect to the prices they buy, 8 *Eliz.* chap. 8. 13 *R.* 2. chap. 8.

The Transportation of Corn, by 3 *Jac.* chap. 11.

The Brewer or Victualler, and such as are to be stinted by the Justices of Peace, that take above

 their

their Assessment, 25 *H.* 8. chap. 2. 13 *R.* 2. chap. 8.

The selling of Wine by Retail in places forbidden, and without Licence of Justices of the Peace, or head-Officers of the place, by 7 *E.* 6. chap. 5. Or at unreasonable prices, by 4 *E.* 3. chap. 12. And such as fore-stall Wines, by 17 *E.* 3. *Stat.* 1. chap. 5.

The Inn-holder or Hostler that takes any thing for Litter, or take excessively for Hay or Horse-bread, or any kind of Provision for Man or Beast, by 13 *R.* 2. ch. 8. 4 *H.* 4. chap. 23. 21 *Jac.* chap. 21.

Fore-stalling, Regrating, and Ingrossing of Corn, Wine, Butter, Cheese, Sheep, Lambs, Calves, Pigs, Geese, Capons, Hens, Chickens, or other dead victuals, by 5 & 6 *E.* 6. chap. 4. with many others.

Within

Within the Cinque-Ports, the Lord Warden or his Lieutenant, is to order the VVeights and Measures, 11 *H.* 7. chap. 4.

Officers of Corporations are to execute their Offices within their Precincts, 16 and 17 *Car.* 1. chap. 19.

Lords of Liberties are to execute their Offices within their Liberties as formerly they have done, 16 & 17 *Car.* 1. chap. 19.

Sheriffs in their Tourns do and may enquire of false VVeights and Measures, *Coo.* 4 Part, *Inst.* chap. 61.

Stewards in their Leets may enquire of the Assise of Bread and Ale broken; of the Measures of Cloth; of false Measures, as of Bushels, Gallons, Yards, and Elns; of false Ballances and Weights; of such as have a double Measure, and buy by a grea-

ter, and sell by a lesser, *Anno* 18 *E.* 2. *Coo. Inst.* 4 Part, ch. 61. / 4 *E.* 4. chap. 1.

And Lords of Leets are therefore to have a Pillory and Tumbrell to punish the Bakers and Brewers that offend herein; or they may be Fined for want of it, yea perhaps forfeit their Franchises, *Cromp.* 141, 148. And they and their Stewards are therein to be impartial in the punishment of this offence, or be punished themselves.

SECT.

SECT. VII.

Of the Power of the Clerk of the Market; and what he hath to do by his Office touching Weights and Measures.

THere is a Clerk of the Market for the King's Houshold only, called *Clericus Mercate Hospitii Regis.* And there is a Clerk of the Market for all other places. And there are Laws for both of them.

For the First, He is to execute his Office duly, and to burn false Weights and Measures.

2. He is to execute his office within the Verge only, and not elsewhere.

3. He is not to ride with above 6 horse, and to tarry no longer in place than need requires.

4. He is not to take any common Fine, but to punish every one according to his merit, *Coo.* 4 Part, *Inst.* 273. 16 & 17 *Car.* chap. 19. 13 *R.* 2. chap. 4.

For the other Clerk of the Market, we are to know this, That albeit his Power be much lessened by the distribution of it to, and exercise of it by, Justices of Assise, of *Oyer* and *Terminer*, and Justices of Peace; yet his Office doth still remain, and he hath a Jurisdiction still.

This Officer hath a Court which he may still keep, and hold Plea therein of that which belongs to his Office, and for that purpose send out his Process and Warrants to the Sheriffs and Bayliffs to bring a Jury before him, and give a Charge, and take a Presentment of the Heads before spoken of, *viz.* of such as keep not, and

use not a Standard according to the King's Standard, and such as buy and sell by other Weights and Measures.

But it seems he can inflict no punishment, nor proceed further than to take the Presentment of the offenders; and then impose Fine or Amercement upon them according to the Statutes. And therefore that he is to do, and useth to do, in this case, is to deliver in the Estreats of the things which touch his Office, into the *Exchequer*, *Coke*. 4 Part, *Inst.* chap. 51.

But he is to cause all the VWeights and Measures to be brought before him. And amongst others of the Pole or Perch whereby Land is measured; And there to view them, those of Inn-holders, Victuallers, and others.

And for Tryal, He is to have all his VWeights and Measures

ready, together with the marks of the *Exchequer*, and is to carry and bring them with him when he makes essay of Weights and Measures: And to see that he use no other Rule of Standard but this, 16 *R.* 2. chap. 3. And according to this, the Weights and Measures of every Country are to be tryed, reformed, and regulated, 7 *H.* 7. chap. 4.

False Measures and Weights he is to burn according to the Statute, 13 *R.* 2. chap. 4.

But he may not take a common Fine from men, and so dispence with them for their offences herein.

Nor can he set prices upon the things to be bought and sold in the Market. See *Coo.* 4. Part, *Inst.* 274, 275.

And for his Fees, Albeit he had anciently, and claims by Custom for Fees, and his reward in the doing

doing of his Office; Four pence for making & sealing of a Bushel: Two pence for the half Bushel; One penny for a Peck; And so after that Rate.

And for the Examination and View of every Bushell before sealed by the Clerk of the Market, whether lawful or not, 2 pence; for every lesser measure of wood, one penny; of Inn-holders 4 d. and of Victuallers 2 d.

Yet it seems, that for View and Examination only of Weights and Measures, he may take no Fee, by *Coo.* 4. Part, *Inst.* chap. 51. nor for Bills, &c. But for Sealing and other matters in his Office, it seems he may take what time out of mind he hath taken, as incident to his Office. And after he hath once sealed, he may not take any thing for the shewing thereof, or for the sealing of it again.

Dalton in his Justice of Peace, pag. 171. makes a short description of this Office in these words:

The Clerk of the Market ought to have with him his Directions out of the Exchequer. And that he may take no money for any Bills, &c. And that he ought to seal no Bushell or other Measures or Weights but once (and not yearly as they use to do): And that if after the first sealing, he shall take any thing for the sealing thereof again, or for the shewing thereof, &c. it will be extortion in him, for which he may be punished. And that his Duty is to take charge of the Kings Measures, to keep the Standard of them; that is, the Examples and Patterns of all the Measures that are, or may be used through the Realm, as of Elns, Yards, Quarts, Pottles, Gallons, &c. of Weights, Bushells, and the like, and to see that all the Measures in every place be answerable to the same Standard or Pattern.

And

And now by 16 & 17 *Car.* 1. chap. 19. It is provided, That if he ſeal any Weight or Meaſure not agreeable to the King's Standard, or refuſe to ſeal ſuch as are agreeable to it, his due Fee being tendred to him: Or take any Fine, Fee, or Reward, than what is allowed by the Statutes or Cuſtom of the place, for the ſigning or examination of any Weight or Meaſure formerly marked or ſealed: Or ſhall impoſe any Fine or Amercement without a legall tryal of the offence, or otherwiſe miſdemean himſelf in his office, he is to forfeit for the firſt offence 5 l. for the ſecond offence 10 l. for every offence afterwards 20 l. to the Poor of the Place.

FINIS.

And now by 16 Car. 2. Cap. 19. It is provided, That if any Weight or Measure prejudicable to the King's Subjects, or refuse to seal Weights or Measures agreeable to it, his Clerk being induced to bring Or take any Fees, or Rewards, than what is allowed by the Statute, or Custom of the place, for the sealing or examination of any Weight or Measure formerly marked or sealed: Or shall impose any Fine or Amercement without a legal trial of the offence, or otherwise misdemean himself in his office, he is to forfeit for the first offence 5 l. for the second offence 10 l. for every offence afterwards 20 l. to the Poor of the Place.

The Table.

A.

ACre *of Land, what.* pag. 20
Ale *measure.* See *Measure.*
Prices of Ale *and* Beer, p. 86,87
Averdepoys *Weight, what.*

B.

BAkers, *How to use their Trade,* p.88, 95
Their punishment for light Bread, p.97
Brewers, *How to use their Trade,* p.95
Punishment for their fault in it, p. 102, 106
Bale *of Paper, what.* p.18

Barrell,

Barrell, *Half Barrel, what,* p. 11, 13
Beer *measure.* See *Measure.*
Bind *of Eels, what,* p. 61
Binne *of Skins, what.* p. 57
But, *what.* p. 58
Brass *and* Pewter. See Weights.
Bread, *the weight of it.* p. 29
The prizes of it, p. 31, 38
Butchers *punishment for bad meat,* p. 103.
Butter *weight.* p. 61
Bushell, *what.* p. 7, 8, 10, 12, 70
But, *what.* p. 60

C.

CHesse *or* Fustian, *what.* p. 57
Cheese, *weight.* p. 61
Clerk *of the Market, what.* p. 1
What his Power, and his Office wherein, p. 75. *and* 117. *Sect.* 7.
Cloth, *the measure of it.* p. 41
Cleve, *what.* p. 17
Combe, *what.* p. 11, 15
Comptroller *of the Market, what.* p. 2
Corn *how to be sold.* p. 83

Coopers

Coopers *Vessels for Ale and Beer, What to be made.* p.84,85,106
Curnock, *what.* p.12,15

D.

DEnariata terræ, *what.* p. 25
Diker, *what.* p. 56

E.

ELn, *what.* p. 16,19,57

F.

FArdingdeal *of Land, what.* p. 24
Firkin, *what.* p.10,13
Fish, *how to be sold,* p.60,61
Flesh, *how to be weighed,* p. 60
Foot *measure,* p. 19
Fore-stallers, Regrators, *and* Ingrossers, *their punishment,* 104
Fore-stalling *of Wine,* p. 100
Furlong *of Land, what.* p. 25
Fuel *lacking Assise,* p.101

Gallon,

G.

GAllon, *what.* *pag.* 7. 8, 10, 12, 13, 27, 70
Garble, *what.* *p.* 6
Gloves *a Diker,* *p.* 56

H.

HIde *of Land, what.* *p.* 21
Hogshead, *what.* *p.* 11, 13, 14

I.

INch, *what.* *p.* 16, 19
Justices *of Peace; Their Power and Office in the offences by Weights and Measures,* Sect. 6. *p.* 108

K.

KIlderkin, *what.* *p.* 10, 13
Kinrall, *or* Quintell, *what.* *p.* 17

L.

LAst *of Corn, what.* pag. 7
Last *of Wooll, what.* p. 16,17,64
Last *of Leather, what.* p. 56
Last *of Herrings, what.* p. 60
Lath, *what.* p. 18
Lead, *a Load, what.* p. 55
Load *of Wooll, what.* p. 65
Librata terræ, *what.* p. 24,25

M.

MEasures. *See* Weights.
Of Measures in generall, p. 4
Of the kinds of them. p. 4,18
Of Corn, p. 8,9, 59
Of Honey, p. 58
Of Beer and Ale, and Wine. p. 8,27,62,67
Of Sope-Barrels. p. 61
Of Cloth. p. 41
Of Butter and Cheese. p. 61

Of Canvas. p. 57
Of Tyle. p. 31
Water-Measure. p.71. See *Weights.*
Millards *for excessive Toll.* p. 104

O.

OBolata terræ, *what.* p.25
Officers *Duty, miscarriage, and punishment for Weights and Measures.* p.82, 86,87,101,102,103. Sect.6.*and* 7.
Ounce, *what.* p. 7,10, 12,14,27,57
Oxgange *of Land, what.* p. 23

P.

PEck, *what.* p. 7,8,10,15
Perch, *what.* p. 16,18,19
Pottle, *what.* p.7,10.12
Pound, *what.* p.7,10,12,15,27
Pint, *what.* p.7,10,13
Pipe, *what.* p. 13,14,58
Pillory *and* Tumbrell *to be in all places, pag.* 87,88

Q.

QUantity, *what.* p. 4
Quart. p. 7,10,13
Quarter. p.7,11,12,71

R.

ROod, *or* Rod *of Land, what.* p. 19, 20
Roll *of Parchment, what.* p. 18
Rundlet. p. 13

S.

SAck *of Wooll, what.* p. 64
Sarplar *of Wooll, what.* p. 64
Selion *of Land, what.* p. 22
Solidata terræ, *what.* p. 25
Sope *measure.* p. 61,62
Standards *of Brass to be in every County and City,* p. 75
Stone, *what.* p. 55,63
Of Hemp, Sugar, &c. p.63

Stone *of Wooll, what.* p. 64. 65
Spices, Sugar, *and* Wax, *weight of it,* p. 63

T.

TAllow *weight.* p. 56
Terse *or* Tierse, *what.* p. 14, 59
Tod *of Wooll, what.* p. 65
Troy *weight.* p. 5, 10
Tun, *what.* p. 13, 14, 58
Tyle, *the measure of it.* p. 44, 97
Tymber *of Skins, what.* p. 57

V.

VEssels *for Ale and Beer, how to be made.*
Gawging of Vessels. p. 84, 85, 86
And Wine, p. 100
Virgata terræ, *what.* p. 22

Weigh

W.

WEigh or Way, *what.* p. 7
Weights *and* Measures. *Of them in generall.* p. 5
Rules and Orders for them. p. 73
The Kinds of them. p. 5. 18
The Weight *of Bread.* p. 28, 29
The Weight *of moyst things.* p. 13
The Weight *of dry things.* p. 13
The Measure of Ale and Beer. p. 102
The Weight *of Meat.* p. 59, 60
The Weight *or Measure for Fish.* p. 60
Of Tallow. p. 56
Of Wax, Spice *and* Sugar. p. 56, 63
Of Wooll. p. 63
Of Brass and Pewter. p. 98
Weigh *of Wooll, what.* p. 65
Measure of Tyle. p. 98
A Common Weight *to be in every City, &c.* p. 75
Sealing Weights, p. 78, 99
Fees for it. p. 78, 80, 99

The King's Prerogative to appoint Overseers thereof. p. 79
Officers Duties herein in all places. p. 82, 86, 97, 98, 99, 101, 102, 103. Sect. 6. and 7.
Their punishment. p. 97, 98, 99
The Penalty of the use of unlawful Weights, p. 97
Wine, *selling it without Licence, the punishment.* p. 105

Y.

YArd, *what.* p. 16, 22

THE END.

r-
19
2,
6.

99
s,
27
b-
05

22